



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

CITY OF LAKE GENEVA PLAN COMMISSION

MONDAY, APRIL 15, 2024 - 6:00 PM

COUNCIL CHAMBERS, CITY HALL

Members:

Mayor Charlene Klein, Alderperson Joan Yunker, Commissioners: John Gibbs, Joel Hoiland, Cindy Forster Fueredi, James Marquardt, and Kyle Cary

CITY HALL WILL BE OPEN TO THE PUBLIC DURING ALL MEETINGS. THE CITY OF LAKE GENEVA IS HOLDING ALL MEETINGS VIRTUALLY AS WELL AS IN PERSON. IF YOU WISH TO LISTEN OR WATCH THE MEETING YOU MAY DO SO BY USING THE FOLLOWING:

1. Links to the City of Lake Geneva's live video stream can be found at <https://cityoflakegeneva.gov/319/City-Meetings-Video-Stream>

2. Television: Watch live broadcast of the meeting on Spectrum Cable Channel 25

3. Listen to audio via phone: (602) 333-2017 (Long distance rates may apply) (888) 204-5987 (Toll Free)

Access Code: 9746153

AGENDA

1. Meeting called to order by Charlene Klein.
2. Roll Call
3. Approve Minutes of the March 18, 2024 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. Request for a Site Plan Review for 233 Center St. for the property zoned Central Business (CB) to place a Mural on the South facing wall Tax Key No. ZOP00284. Applicant Melges Property Holdings LLC, 1100 Edwards Blvd. Lake Geneva
7. Request for a Site Plan Review for 234 Broad St. for the property zoned Central Business (CB) to place a Mural on the North facing wall (facing the alleyway) Tax Key No. ZOP00257. Applicant Richard Herman Properties, W4920 Oakwood Dr. East Troy.
8. Request for a Site Plan Review for 858 W. Main St. for the property zoned Central Business (CB) to place a Mural on the West facing wall Tax Key No. ZOP002336 Applicant Paul Pappas, PO Box 701 Lake Geneva.
9. Public Hearing and Recommendation for a General Development Plan (GDP) of a proposed development by Geneva Square – GS Outlot 3, LL.2737 Central Street, Evanston. IL 60201 for the property currently located on the Geneva Square Property zoned Planned Development (PD)

at 80 East Geneva Square Tax Key No. ZYUP00137C1.

10. Public Hearing and Recommendation to amend the existing Zoning Code section 98-726 regarding Murals.

11. 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.

CITY OF LAKE GENEVA PLAN COMMISSION MINUTES

MONDAY, MARCH 18, 2024 - 6:00 PM

COUNCIL CHAMBERS, CITY HALL

Members: Mayor Charlene Klein, Alderperson Joan Yunker, Commissioners: John Gibbs, Joel Hoiland, Cindy Forster Fueredi, James Marquardt, and Kyle Cary

Meeting called to order by Charlene Klein.

Mayor Klein called the meeting to order at 6:01 p.m.

Roll Call.

Present: Klein, Yunker, Gibbs, Hoiland, Foster-Fueredi, Cary

Absent: Marquardt

Approve Minutes of the December 18, 2023 Plan Commission meeting as distributed.

Motion by Hoiland to approve, second by Cary. No discussion. Motion carried. 6-0

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.

Pat Kachur, 968 S Lake Shore Drive; Spoke in support of Agenda Item #7 and to have the private road into a public road.

Peg Esposito, 124 Darwin Street; Spoke in support of Agenda Items, #6, #7 & #8.

Alethea Salgado, 146 Broad Street; Introducing applicant for Item #13.

Acknowledgment of Correspondence.

No Correspondence

Conceptual review of a proposed development by Geneva Square – GS Outlot 3, LL.2737 Central Street,

Evanston. IL 60201 for the property currently located on the Geneva Square Property zoned Planned Development (PD) at 80 East Geneva Square Tax Key No. ZYUP00137C1.

Gregory Hughes, Managing Agent for Geneva Square, presented details and answered commission member's/city staff questions related to a Conceptual review of a proposed development in Geneva Square (included on pages 4-15 of the packet).

Conceptual review of a proposed development by Canyon Development Group 937 Tarrant Dr. Fontana WI 53125 for the property located at 817 N. Knoll Ln. zoned Planned Development (PD) Tax Key Nos. ZA442700001 & ZA442700002.

Steve Greenberg, representative for Canyon Development Group, presented details and answered commission member's/city staff questions related to a Conceptual review of a proposed development by Canyon Development Group (included on pages 16-56 of the packet).

Review and Recommendation for a Site Plan submittal for the Memorial and Donation application received for the Gygas Memorial Fund, Inc. PO Box 197, Elkhorn, WI. to allow for the donation of the proposed memorial of Gary Gygas to be located in the park on the westerly portion of the City Park along the lake.

Paul Stormberg, President of the Gary Gygas Memorial; 63 Williams Street; Presented details and answered commission member's/city staff questions related to Site Plan submittal for the Memorial and Donation application received for the Gygas Memorial Fund (included on pages 57-111 of the packet).

Motion by Hoiland to approve, second by Gibbs. No discussion. Motion carried. 6-0.

Public Hearing and Recommendation for a Conditional Use Permit (CUP) for 772 W. Main St. for Kurt Jennison N3382 County Rd. H, Lake Geneva for a proposed Indoor Commercial Entertainment land use to operate a Pool Hall facility at 772 W. Main St suites 01 - 02 at the property zoned Central Business (CB) zoning district Tax Key

No. ZOP00321.

City Planner Mich presented details and answered commission member's/city staff questions related to a Public Hearing and Recommendation for a Conditional Use Permit (CUP) for 772 W. Main St. for Kurt Jennison (included on pages 112-126 of the packet).

No public comment.

Motion by Klein to close public hearing, second by Cary. Motion carried. 6-0.

Motion by Hoiland to approve, second by Cary. No discussion. Motion carried. 6-0

Public Hearing and Recommendation for a Conditional Use Permit (CUP) for 1633 Lake Shore Dr. for Daniel and Jennifer Lites 1633 Lake Shore Dr. Lake Geneva for a proposed home renovation to the property located in the Estate Residential – 1 (ER-1) zoning district Tax Key No. ZLM00020.

Daniel Lites, 1633 Lake Shore Drive, presented details and answered commission member's/city staff questions related to a Public Hearing and Recommendation for a Conditional Use Permit (CUP) for 1633 Lake Shore Dr. for Daniel and Jennifer Lites (included in pages 127-143 of the packet).

No public comment.

Motion by Klein to close public hearing, second by Yunker. Motion carried. 6-0.

Motion by Hoiland to approve, second by Yunker. No discussion. Motion carried. 6-0.

Public Hearing and Recommendation to amend the Precise Implementation Plan (PIP), applicant Golden Years Living, 270 Ridge Rd. Walworth WI 53184 to allow for the construction of a pergola in the Planned Development (PD) zoning district located at 611 Harmony Dr. Tax Key Nos. ZA47500001.

Jon Stankevitz, representative for Golden Years, presented details and answered commission member's/city staff questions related to a Public Hearing and Recommendation to amend the Precise Implementation Plan (PIP) (included on pages 144-162 of the packet).

No public comment.

Motion by Klein to close public hearing, second by Yunker. Motion carried. 6-0.

Motion by Cary to approve, second by Hoiland. No discussion. Motion carried. 6-0.

Review to amend the existing Zoning Code section 98-726 regarding Murals.

City Planner Mich presented details and answered commission member's/city staff questions related to amending the existing Zoning Code section 98-726 regarding Murals. City Attorney Draper recommends language change to the last sentence to “The plan commission shall make this determination on a case to case basis.” Also, to add language “The approval of one such site plan does not bind any other future applications.”

Conceptual review only of 4 proposed Mural locations within the downtown.

Alethea Salgado, representative for the Business Improvement District, presented details and answered commission member's/city staff questions related to a Conceptual review of 4 proposed Mural locations within the downtown (located on pages 166-184 of the packet).

Next Steps: Submit a full application to the B&Z Administrator for approval.

Adjournment.

Motion by Hoiland to adjourn, second by Yunker. Motion carried 6-0. The meeting adjourned at 7:39 p.m.

STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: April 15, 2024

Agenda Item #6

Applicant:

Melges Property Holdings LLC
100 S Edwards Blvd
Lake Geneva, WI

Request:

233 Center Street
Mural – Site Plan Review

Description:

The applicant has requested site plan approval of a mural. The subject property is zoned Central Business (CB). The mural will be located on the south-facing wall of Melges Real Estate. The mural will face Starbucks and Main Street. The mural will be approximately 10 feet by 20 feet and will be painted directly on the wall.

Murals follow the procedures for site plan review to ensure that the mural complies with the requirements of the zoning ordinance, including the requirements of Section 98-726 pertaining to Murals. The property owner is partnering with the Lake Geneva Business Improvement District (BID) on this project. The property owner and BID have an agreement regarding the installation and maintenance of the mural.

Staff Review:

Murals are defined as “Any picture, scene, or diagram painted or mounted on any exterior wall that does not contain a commercial message or otherwise meet the definition of a "sign" in Section 98-803.” Section 98-726 of the zoning ordinance provides requirements for approval, location, placement, installation, maintenance, and removal of murals. The mural complies with all requirements of Section 98-726.

Staff notes that the City should review the mural only for compliance with the zoning ordinance. As this is public art, the City should not comment on the design, theme, or content of the mural. Public art is protected by the right to freedom of speech embodied in the First Amendment.

Because this property owner is participating in the BID’s mural program, the BID is leading the installation and maintenance of the mural. However, the property is ultimately responsible for compliance with Section 98-726, which requires that if the mural is peeling, faded, or damaged, it shall be repainted, repaired, or removed. Upon removal of the mural, the surface shall be returned to its original condition, and any materials used to attach the mural shall be removed at the same time, including brackets, mounting hardware, caulk or grout, and adhesive glues.

Staff Recommendation:

Staff recommends approval of the proposed mural site plan for this property, with the following conditions of approval:

1. Applicant shall submit a signed acknowledgement that they understand they are ultimately responsible for maintenance of the mural.

Suggested Motions:

- *Approve:* I recommend approval of the proposed Site Plan for *Melges Property Holdings LLC, 100 S Edwards Blvd, Lake Geneva, for the proposed mural located at 233 Center Street, with the condition of approval recommended by staff.*
- *Deny:* I recommend denial of the proposed Site Plan for *Melges Property Holdings LLC, 100 S Edwards Blvd, Lake Geneva, for the proposed mural located at 233 Center Street, because [provide rationale for denial].*

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

APPLICATION FOR SITE PLAN REVIEW

City of Lake Geneva

Site Address/Parcel No. and full Legal Description required (attach separate sheet if necessary):

233 Center Street (South facing exterior) Commercial property.
Parcel: ZOP 00284

Name and Address of Current Owner: Melges Property Holdings LLC
~~1000-1000~~ 1100 S Edwards Blvd Lake Geneva WI 53147

Telephone No. with area code & Email of Current Owner: 262-745-3755

hm@melgesrealestate.com

Owner Signature: Has melges / sh

Name and Address of Applicant:

Melges Property Holdings LLC
1100 S. Edwards Blvd Lake Geneva WI 53147

Telephone No. with area code & Email of Applicant: 262-745-3755

hm@melgesrealestate.com

Proposed Use: Mural installation

Zoning District in which land is located: C-1

Names and Addresses of architect, professional engineer and contractor of project:

Contracted by Lake Geneva BID
PO Box 910 Lake Geneva WI 53147

Short statement describing activities to take place on site:

Painting exterior with ladder ~~where possible~~ possible
use of scaffolding. Painting to take place in May or
potentially June based on rain occurrence.

Site Plan Review Fee: \$400.00, payable upon filing application

Date

3/1/24

Signature of Applicant

Has melges / sh

_____ 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 **\$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.** Surplus deposits shall be returned to the Applicant at the conclusion of the project.

Project: Melges Property Holdings LLC, as applicant/petitioner for

Mural Installation

Project Address: 233 Center Street

Parcel No. ZOP 00284

Name: Melges Property Holdings LLC

Address: 1100 S. Edwards Blvd.

Lake Geneva WI 53147

Cell Phone: (____) - ____ - ____

Phone: (462) - 745 - 3755

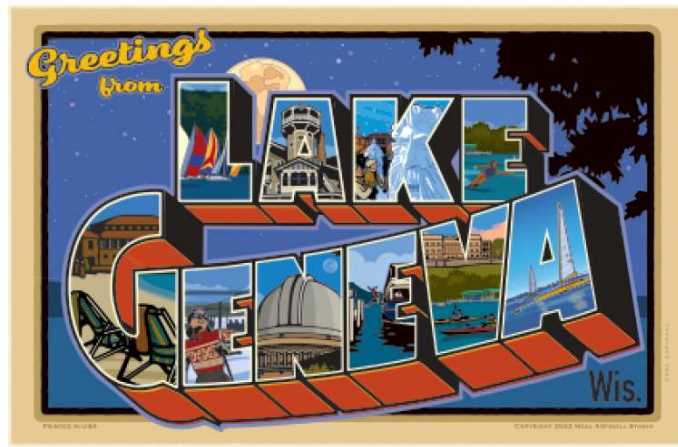
Email: hmmelgesrealestate.com

Dated this 1st Day of March, 20 24

Printed Name of Applicant / Petitioner

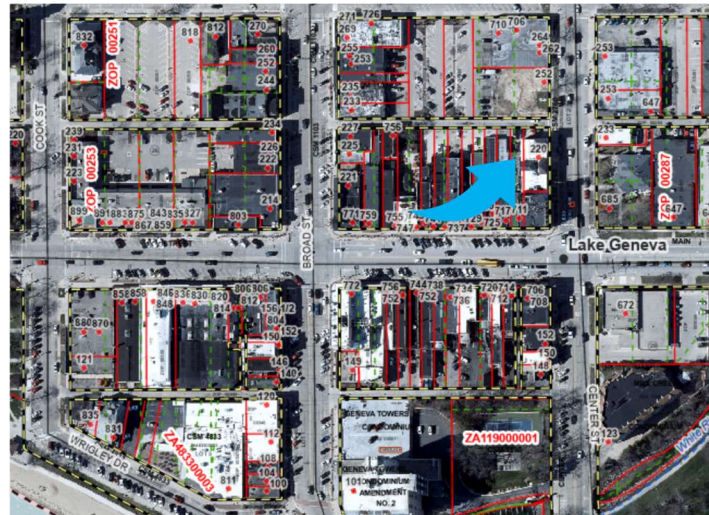
X Hans Melges / h

Signature of Applicant/Petitioner



233 Center Street

- south-facing wall
- 10' x 20' mural (approximately)
- mural painted directly on wall





STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: April 15, 2024

Agenda Item #7

Applicant:

Richard Hermann Properties, LLC
W4920 Oakwood Dr
East Troy, WI

Request:

234 Broad Street
Mural – Site Plan Review

Description:

The applicant has requested site plan approval of a mural. The subject property is zoned Central Business (CB). The mural will be located on the north-facing wall of Avant Cycle Café. The mural will face the alley and Geneva Stage. It will be approximately 16 feet by 32 feet, encased in a frame, and mounted on the brick wall on wood panels.

Murals follow the procedures for site plan review to ensure that the mural complies with the requirements of the zoning ordinance, including the requirements of Section 98-726 pertaining to Murals. The property owner is partnering with the Lake Geneva Business Improvement District (BID) on this project. The property owner and BID have an agreement regarding the installation and maintenance of the mural.

Staff Review:

Murals are defined as “Any picture, scene, or diagram painted or mounted on any exterior wall that does not contain a commercial message or otherwise meet the definition of a "sign" in Section 98-803.” Section 98-726 of the zoning ordinance provides requirements for approval, location, placement, installation, maintenance, and removal of murals. The mural complies with all requirements of Section 98-726.

Staff notes that the City should review the mural only for compliance with the zoning ordinance. As this is public art, the City should not comment on the design, theme, or content of the mural. Public art is protected by the right to freedom of speech embodied in the First Amendment.

Because this property owner is participating in the BID’s mural program, the BID is leading the installation and maintenance of the mural. However, the property is ultimately responsible for compliance with Section 98-726, which requires that if the mural is peeling, faded, or damaged, it shall be repainted, repaired, or removed. Upon removal of the mural, the surface shall be returned to its original condition, and any materials used to attach the mural shall be removed at the same time, including brackets, mounting hardware, caulk or grout, and adhesive glues.

Staff Recommendation:

Staff recommends approval of the proposed mural site plan for this property, with the following conditions of approval:

1. Applicant shall submit a signed acknowledgement that they understand they are ultimately responsible for maintenance of the mural.

Suggested Motions:

- *Approve:* I recommend approval of the proposed Site Plan for *Richard Hermann Properties, LLC, W4920 Oakwood Dr, East Troy, WI, for the proposed mural located at 234 Broad Street, with the condition of approval recommended by staff.*
- *Deny:* I recommend denial of the proposed Site Plan for *Richard Hermann Properties, LLC, W4920 Oakwood Dr, East Troy, WI, for the proposed mural located at 234 Broad Street, because [provide rationale for denial].*

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

APPLICATION FOR SITE PLAN REVIEW

City of Lake Geneva

Site Address/Parcel No. and full Legal Description required (attach separate sheet if necessary):

234 Broad Street (Alleyway between Avant
& Geneva Stage) Parcel - 20P 00257

Name and Address of Current Owner: Richard Hermann Properties LLC

W4920 Oakwood Drive, East Troy WI 53120

Telephone No. with area code & Email of Current Owner: 262-745-3392

treasurehut@charter.net

X Owner Signature: 

Name and Address of Applicant:

Richard Hermann Properties LLC

W4920 Oakwood Drive, East Troy WI 53120

Telephone No. with area code & Email of Applicant: 262-745-3392

treasurehut@charter.net

Proposed Use: Using North facing wall for installation
of a mural on panels. (12x32ft)

Zoning District in which land is located: C-1

Names and Addresses of architect, professional engineer and contractor of project:

Contracted by Lake Geneva BID - PO Box 910 Lake Geneva WI 53147

Short statement describing activities to take place on site:

Will need ~~street~~ alleyway closed for May 13 - May 19th.
12x32ft of wood panels will be installed with masonry drill
in mortar to anchor boltscrew. These pre-primed panels will
then be canvas for painted mural. A weather/graffiti proof
sealant will be installed over art to preserve.

Site Plan Review Fee: \$400.00, payable upon filing application

2-13-2024

Date

X 
Signature of Applicant

_____ 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 \$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.** Surplus deposits shall be returned to the Applicant at the conclusion of the project.

Richard Hermann Properties LLC, as applicant/petitioner for
Project: Mural Installation
Project Address: 234 Broad Street
Parcel No. 20P 00257
Name: Richard Hermann Properties LLC
Address: W4920 Oakwood Drive
East Troy WI 53120
Cell Phone: () - - Phone: (262) - 745 - 3392

Email: treasurehut@charter.net

Dated this 13 Day of February, 20 24

Kevin Hermann

Printed Name of Applicant / Petitioner

[Signature]

Signature of Applicant/Petitioner

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 234 Broad Street
Applicant name Richard Hermann Properties LLC
Applicant email treasurehut@charter.net Phone Number 262-745-3392

Architect/Contractor/Designer Name Lake Geneva BID
Architect/Contractor/Designer Email director@downtownlake Phone Number 262-716-9529
geneva.org

Type of Construction: New ☐ Addition ☐ Remodel ☐
Type of Development: Single-family ☐ 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
 - 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
 - WISDOT Right-of-way?
 - County Right-of-way?

- Estimated Traffic impacts Temporary Alleyway closure
 - 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 _____
- Will there be signage? YES / NO type (mounted, freestanding) _____
- Exterior lighting plans? YES / NO
- What kind of noise or level of noise will the business have? Just painting
- Detailed property Site Plan? YES / NO Date of Plan: _____
- 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:

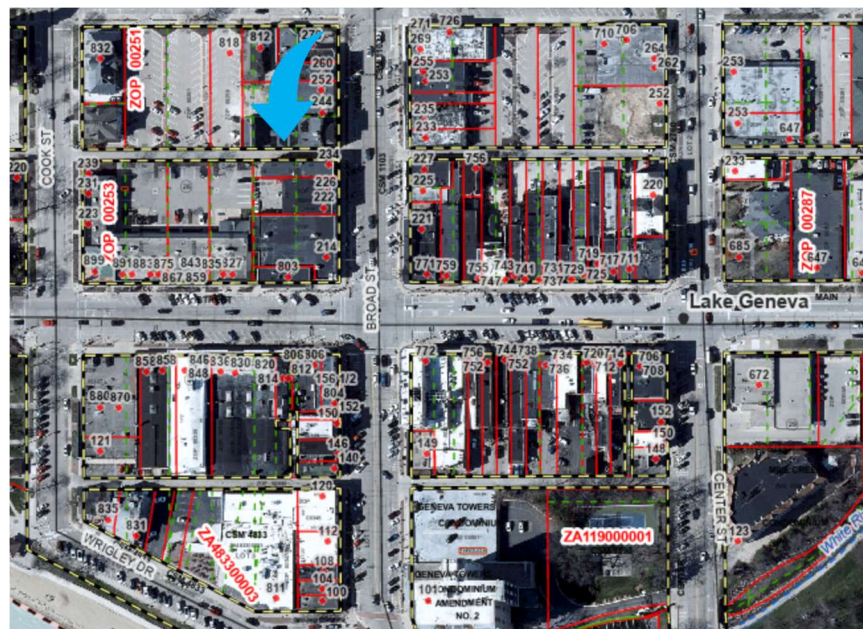
- Number of units _____
- Number of bedrooms in each unit _____
- Water service size requirement _____





234 Broad Street

- north-facing wall
- 16' x 32' mural (approximately)
- mural painted on wood panels
- installed securely on brick
- includes a frame to finish the piece



STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: April 15, 2024

Agenda Item #8

Applicant:

Paul S. Pappas
PO Box 701
Lake Geneva, WI

Request:

858 W. Main Street
Mural – Site Plan Review

Description:

The applicant has requested site plan approval of a mural. The subject property is zoned Central Business (CB). The mural will be located on the west-facing wall of the business located at 858 W. Main Street. The mural will face the parking lot to the east of the building and Wrigley Drive. It will be approximately 16 feet by 65 feet and will be painted directly on the cinder block wall.

Murals follow the procedures for site plan review to ensure that the mural complies with the requirements of the zoning ordinance, including the requirements of Section 98-726 pertaining to Murals. The property owner is partnering with the Lake Geneva Business Improvement District (BID) on this project. The property owner and BID have an agreement regarding the installation and maintenance of the mural.

Staff Review:

Murals are defined as “Any picture, scene, or diagram painted or mounted on any exterior wall that does not contain a commercial message or otherwise meet the definition of a "sign" in Section 98-803.” Section 98-726 of the zoning ordinance provides requirements for approval, location, placement, installation, maintenance, and removal of murals. The mural complies with all requirements of Section 98-726.

Staff notes that the City should review the mural only for compliance with the zoning ordinance. As this is public art, the City should not comment on the design, theme, or content of the mural. Public art is protected by the right to freedom of speech embodied in the First Amendment.

Because this property owner is participating in the BID’s mural program, the BID is leading the installation and maintenance of the mural. However, the property is ultimately responsible for compliance with Section 98-726, which requires that if the mural is peeling, faded, or damaged, it shall be repainted, repaired, or removed. Upon removal of the mural, the surface shall be returned to its original condition, and any materials used to attach the mural shall be removed at the same time, including brackets, mounting hardware, caulk or grout, and adhesive glues.

Staff Recommendation:

Staff recommends approval of the proposed mural site plan for this property, with the following conditions of approval:

1. Applicant shall submit a signed acknowledgement that they understand they are ultimately responsible for maintenance of the mural.

Suggested Motions:

- *Approve:* I recommend approval of the proposed Site Plan for *Paul S. Pappas, PO Box 701, Lake Geneva, WI, for the proposed mural located at 858 W. Main Street, with the condition of approval recommended by staff.*
- *Deny:* I recommend denial of the proposed Site Plan for *Paul S. Pappas, PO Box 701, Lake Geneva, WI, for the proposed mural located at 858 W. Main Street, because [provide rationale for denial].*

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

APPLICATION FOR SITE PLAN REVIEW

City of Lake Geneva

Site Address/Parcel No. and full Legal Description required (attach separate sheet if necessary):

858 W Main Street (West side of building) Commercial Building
Parcel: 20P 00336

Name and Address of Current Owner: Paul S. Pappas
PO Box 701 Lake Geneva WI 53147

Telephone No. with area code & Email of Current Owner: 262-745-8774
goldcoastart@gmail.com

X Owner Signature: 

Name and Address of Applicant:

Paul S. Pappas
PO Box 701 Lake Geneva WI 53147

Telephone No. with area code & Email of Applicant: 262-745-8774
goldcoastart@gmail.com

Proposed Use: Mural Installation

Zoning District in which land is located: C-1

Names and Addresses of architect, professional engineer and contractor of project:

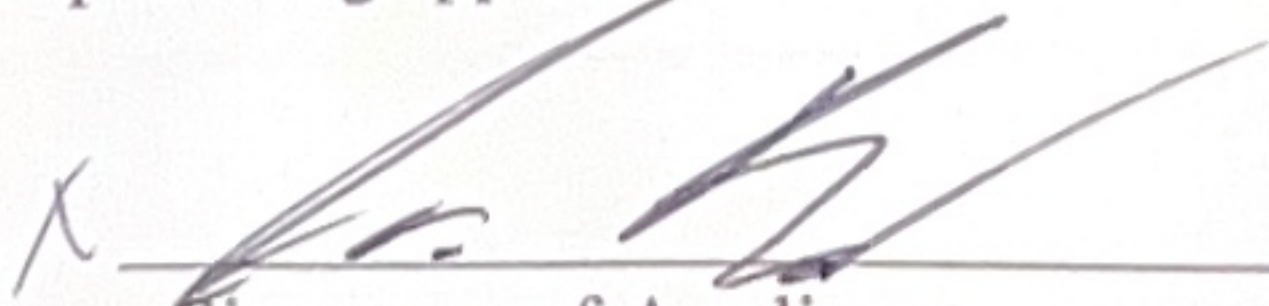
BID PO Box 910 Lake Geneva WI 53147

Short statement describing activities to take place on site:

Painting wall which will require scissor lift and/or
scaffolding. To be installed in May or June pending weather

Site Plan Review Fee: \$400.00, payable upon filing application

3-1-24
Date

X 
Signature of Applicant

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 **\$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.** Surplus deposits shall be returned to the Applicant at the conclusion of the project.

Paul S Pappas, as applicant/petitioner for

Project:

Mural Installation

Project Address:

858 W Main Street

Parcel No.

20P 00336

Name:

Paul S. Pappas

Address:

PO Box 701

Lake Geneva WI 53147

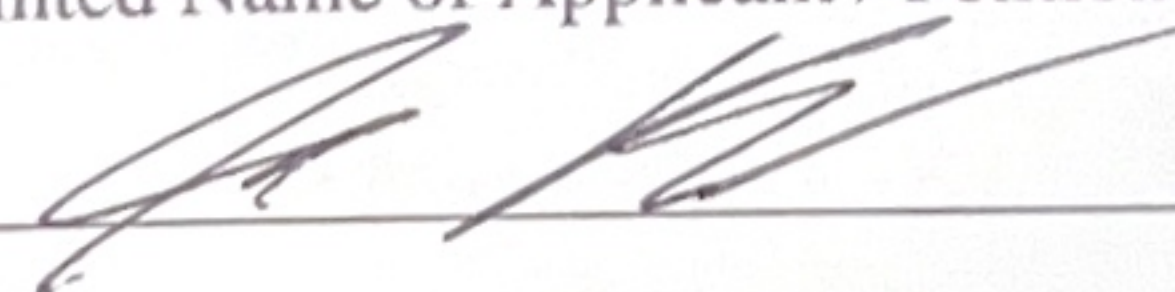
Cell Phone: () - -

Phone: (262) - 745 - 8774

Email: goldcoastart@gmail.com

Dated this 1st Day of March, 2024

Printed Name of Applicant / Petitioner

X 

Signature of Applicant/Petitioner



858 W Main Street

- west-facing wall
- 16' x 65' mural (approximately)
- actual art will be very similar but with a different layout
- mural painted directly on cinder blocks
- artist to work around windows and shutters





MURAL INSTALLATION AND MAINTENANCE AGREEMENT

This MURAL INSTALLATION AND MAINTENANCE AGREEMENT (the "Agreement") made between Lake Geneva Business Improvement District, a municipal commission located in Walworth County, Wisconsin ("BID"), and Paul S. Pappas ("Owner"), as of the final date executed below (MARCH 1, 2024 DATE SIGNED).

WITNESSETH:

WHEREAS, BID understand the value and importance of public art and the role murals play in the development of identity, tourism, preservation of culture, beautification of the city, and advancing the arts; and

WHEREAS, Owner recognizes the Mural shall not be designed in such a manner as to constitute a "sign", as that term is defined in Section 98-803 of the City of Lake Geneva Municipal Code; and

WHEREAS, Owner recognizes that the purpose of the project, which is to enhance the community and encourage tourism and commerce in the City of Lake Geneva, is mutually beneficial to the BID and the Owner and therefore desires to have a mural painted on the side of his or her building; and

WHEREAS, Owner and BID desire to execute an agreement establishing each parties' rights and responsibilities with respect to site preparation installation, maintenance, and ownership of the mural,

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained in this agreement and for other good and valuable consideration, the receipt and adequacy of which hereby acknowledged, the parties hereto agree as follows:

Article 1 Definitions

- 1.1 "Permitted Site" means Westward Facing Wall Adjacent to Parking Lot for 870 & 880 W Main Street located at 858 W. Main Street, Lake Geneva, WI.
- 1.2 "Mural" means the previously agreed upon design concept to be installed on the Permitted Site.
- 1.3 "Materials" means equipment, medium, or other supplies needed to construct and/or create the Mural.

- 1.4 "Artist" means person, or people, commissioned to design, install, and paint the Mural on the Permitted Site.

Article 2

Term, Preparation, Funding

- 2.1 Authorization. Owner authorizes BID to permit the Artist to install the Mural at the Permitted Site.
- 2.2 Term. The owner hereby agrees to maintain the mural in place for a period of not less than five (5) years from the Effective Date, unless terminated pursuant to Section 3.2 below or extended by the parties in writing.
- (i) Effective Date. The Effective Date for this agreement to commence on **MAY 1, 2024**
- 2.3 Preparation. Owner will grant BID permission to a) allow the Artist to prepare the Permitted Site for installation and/or b) inspect and repair the Permitted Site of any structural damage and potential hazards. Structural damage and potential hazards includes, but is not limited to, the following:
- Loose or peeling paint
 - Loose or broken concrete
 - Cracked stucco material
 - Signs of water leaks (new or old)
 - Staining or rusting
 - The ability to remove metal screws, anchors, or nails
 - Foreign material, such as plant or synthetic material growing through or being deposited from an adjacent or nearby source
 - Bird or bat droppings, insects, etc.
 - Electrical wiring or other nearby safety and access hazards
- 2.4 Funding. BID shall cover the cost of all materials, in addition to an artist's stipend to install the Mural at the Permitted Site.

Article 3

Installation, Termination, Extension

- 3.1 Owner's Termination. Owner may choose to terminate this Agreement without any liability to BID if Artist a) fails to install the Mural as specified in this Agreement; or b) fails to complete the installation of the Mural by the designated completion date.

- 3.2 **BID's Termination.** BID may choose to terminate the Agreement without any liability to Owner.
- 3.3 **Extension.** All parties may mutually agree in writing to extend the term of this Agreement.

Article 4
Maintenance and Repairs, Alteration, Removal

- 4.1 **Maintenance and Repairs.** Owner shall be responsible for reporting to BID any major or minor damage inflicted on the Mural. BID is responsible for removal of graffiti on or near Mural. BID shall be responsible for any other cosmetic maintenance or repairs needed to be done on the Mural.
- 4.2 **Grounds for Removal.** Owner may remove the Mural at Owner's expense if Owner reasonably determines that the Mural is harming the permitted site, or limiting Owner's ability to use the permitted site for what it was intended for.
- 4.3 **Necessary Artistic Repairs.** BID will compensate the Artist for such work on a time and materials basis as is appropriate.
- 4.4 **Removal Post Contractual Obligation.** Renegotiation of contract is required after 5 years in the maintenance of the Mural for continued BID liability. After the 5 year term, if Owner should opt to terminate agreement with BID or let contract expire without renegotiation, Owner is responsible for removal of Mural or maintenance in accordance with the City of Lake Geneva ordinance guidelines.

Article 5
Mural Specifications

- 5.1 **Artist Selection.** The BID will select the Artists to paint the Mural. The Mural will not be commercial, offensive, indecent, or obscene.
- 5.2 **Commercial Content.** The Mural shall not include an advertisement or be commercial in nature, or be designed as to constitute a "sign", defined in Section 98-803 of the City of Lake Geneva Municipal Code. Mural shall not contain copy, lettering, symbols or references directly to the promotion of any product, business, brand, organization, service, cause or place. Mural may contain limited commercial elements so long as they are not included for the purpose of promoting a commercial transaction.
- 5.3 **Offensive, Obscene and Indecent Content.** Mural shall not contain iconography, or allude to activity that displays or promotes indecency, obscenity or offensive subject matter. The terms in the prior sentence shall be interpreted in the sole discretion of the BID or the Owner.

Article 6

Intellectual Property

- 6.1 Ownership. BID, its successors and assigns, shall own all rights in the Mural except as specified below.
- 6.2 Copyright. Subject to the restrictions and usage rights and licenses granted to Owner hereunder, and unless otherwise agreed to by the parties in writing, Artist shall retain all 17 U.S.C. §106 copyrights in all original works produced under this Agreement. If Artist is comprised of two or more individual persons, the individual persons shall be deemed joint creators of the Mural.
- 6.3 Publicity. Owner and BID shall have the right to use Artist's name, likeness, and biographical information, in connection with the display or reproduction and distribution of the Mural.
- 6.4 Owner's Intellectual Property License. Artist hereby grants to Owner, and to Owner's agents, authorized contractors and assigns, and to BID, an unlimited and irrevocable license to do the following with respect to the Mural:
- (i) Owner may use and display the Mural on the Property only.
 - (ii) Owner and BID may make, display, and distribute, and authorize the making, display, and distribution of photographs and other reproductions of the Mural. Owner and BID may use such reproductions for any Owner-related or BID-related purpose, including advertising, educational and promotional materials, brochures, books, flyers, postcards, print, broadcast, film, electronic, and multimedia publicity. Owner and BID shall ensure that such reproductions are made in a professional and tasteful manner, in their sole and reasonable judgment. Owner and BID shall make reasonable efforts to ensure that such reproductions include the following credit line and copyright notice where practicable: " _____ " © _____ by _____." Failure to include such credit line and notice in any reproductions shall not constitute a breach of this agreement. Neither Owner nor BID may license or sublicense its rights for any private or commercial purpose. The license granted hereunder does not include the right to sell photographs or reproductions of the Mural or to market reproductions as standalone items for sale or use by others.

- 6.5 **Waiver of Artist's Rights.** With respect to the Mural produced under this Agreement, and in consideration of the procedures and remedies specified in this Agreement, Artist hereby waives any and all claims, arising at any time and under any circumstances, against Owner and BID, its officers, agents, employees, successors and assigns, arising under the federal Visual Artists Rights Act (17 U.S.C. §§106A and 113(d)), and any other local, state, federal or international laws that convey rights of the same nature as those conveyed under 17 U.S.C. §106A, or any other type of moral right protecting the integrity of works of art. Specifically, Artist hereby waives any and all such claims against Owner or any future owners of the Property, and its agents, officers and employees, and BID. Artist hereby represents and warrants that the Artist is authorized to sign this waiver.

Article 7

Insurance, Indemnification

- 7.1 **Third Party Infringement.** Neither Owner nor BID is responsible for any third party infringement of Artist's copyright or for protecting Artist's intellectual property rights.
- 7.2 **Indemnification and Coordination.** Artist represents and warrants that the Mural is the sole work of the Artist and does not infringe the intellectual property rights of any third parties. Artist agrees to indemnify Owner and/or BID against any claims brought against Owner or BID alleging that the Mural infringes the intellectual property rights of any third parties.

Article 8

Notices and Other Communications

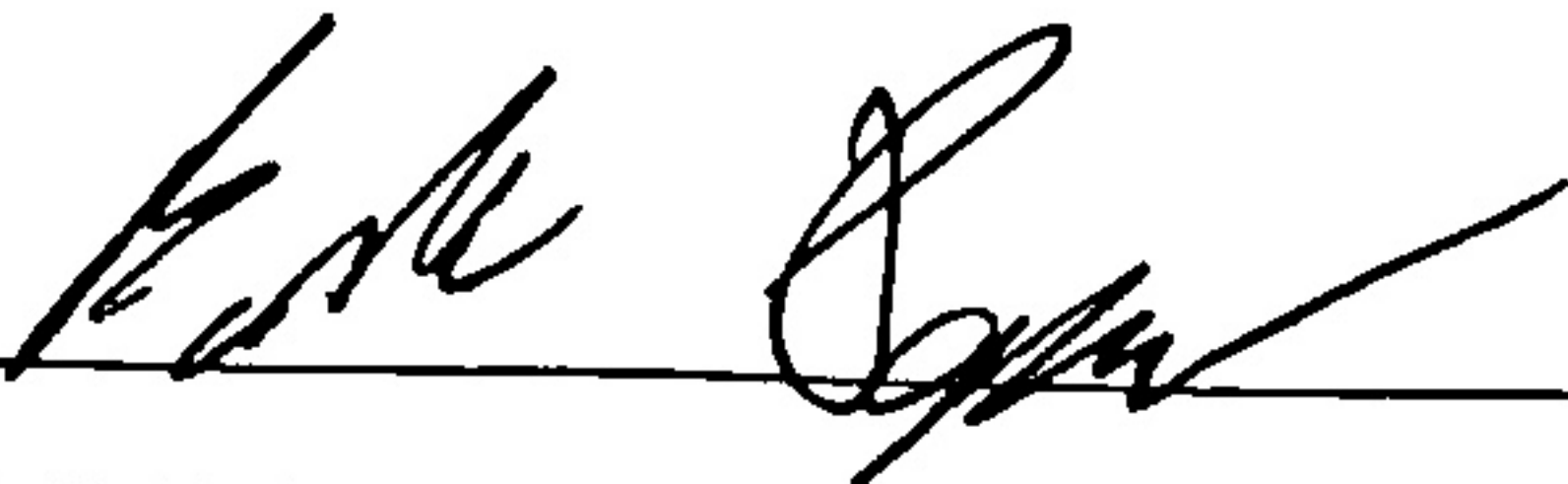
- 8.1 **Requirements.** Unless otherwise specifically provided herein, all notices, consents, directions, approvals, instructions, requests and other communications hereunder shall be in writing, shall be addressed to the person and address set forth below and shall be (a) deposited in the U.S. mail, first class, certified with return receipt requested and with appropriate postage, (b) hand delivered or (c) sent via facsimile (if a facsimile number is provided below):

Owner: Paul S. Pappas
858 W. Main Street
Lake Geneva, WI 53147
262.248.3500
goldcoastart@gmail.com

BID: Lake Geneva Business Improvement District
PO BOX 910
Lake Geneva, WI 53147
Executive Director
director@downtownlakegeneva.org

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the last date specified herein.

Owner



PAUL S. PAPPAS
OWNER

3 - 1 - 24

DATE

BID

ALEXANDRIA BINANTI – EXECUTIVE DIRECTOR
DOWNTOWN LAKE GENEVA BUSINESS IMPROVEMENT DISTRICT

3.1.24

DATE

Approved as to Form and Execution:



50-75%

16"

STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: April 15, 2024

Agenda Item #9

Applicant:
Geneva Square

Request:
Tax Key No. ZYUP 00137C1
PD - General Development Plan

Description:

Geneva Square has applied for a Planned Development General Development Plan (PD-GDP) to allow for the development of a multi-tenant commercial building on vacant property near the Hwy 120 Interchange. A PD-GDP is Step 3 of 4 for the Planned Development Process. Step 4 is a Precise Implementation Plan (PD-PIP) which establishes details of site development including architecture, landscaping, lighting, and engineering.

The property in question was part of an older Planned Development, approved in 1999, that allowed for the “Geneva Square” development which resulted in construction of the Piggly Wiggly and other commercial developments. According to the ordinance which governs Planned Development procedures, if all parts of a Planned Development General Development Plan are not constructed within five years of approval, no additional development under the Planned Development is allowed without further zoning action.

Because the GDP has expired for the subject property, the applicant has requested approval of a new GDP to allow for flexibility from the PB (Planned Business) base zoning district.

Consistency with the Comprehensive Plan:

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 Business. This category allows for indoor retail, drive-throughs, and dining uses as proposed in the GDP. Therefore, the proposed GDP is consistent with the Comprehensive Plan.

Relationship to Base Zoning Standards:

All Planned Developments must identify flexibility being requested from the base zoning standards in the most comparable regular zoning district. In this instance, the Planned Business (PB) zoning district provides that comparison zoning district. The project is requesting 5 flexibilities:

1. Allow planters instead of foundation plantings around building foundation.
2. Reduce paved surface setback on the east property line to 8 feet instead of 10 feet.
3. Utilize a parking regulation standard of 1 stall per 300 sf for the development (instead of 1 stall per 50 sf) and share parking with the Geneva Square development.
4. An access point closer to the intersection of 80 feet instead of 100 feet.

5. Reduced width of driveways on site to 12 feet for one-way traffic instead of a minimum of 18 feet.

Staff Review Comments:

The proposed project includes a one-story retail building of approximately 4,020 square feet. The building style is proposed to match the architectural features of the main center, with detailed architectural plans to be presented during the PIP stage. The parcel is approximately 44,100 square feet (slightly larger than one acre).

One of the tenants is a drive-through dining land use with a one-way drive through lane along the west side of the building. The drive-through tenant (Space A) is approximately 2,520 sf. The second tenant space allows for additional commercial indoor entertainment (restaurant) or indoor sales and service land uses (retail). Traffic circulation includes a one-way exit north from the site onto the frontage road. The two-way egress from Geneva Square aligns with the egress to the Piggly Wiggly center to the east. Parking areas are located east of the building with a second parking area to the south. Sufficient areas are available for all required landscaping. The site layout enables easy truck access to the trash enclosure located at the south end of the site. A pedestrian sidewalk connects the site to the rest of the commercial area. Overall, staff finds the GDP appropriate given the infill development opportunity, consistent with the commercial center.

GDP: Action by the Plan Commission:

As part of the consideration of a requested PD-GDP, the Plan Commission is required to:

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

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

A proposed GDP must be reviewed by the standards for all Zoning Map Amendments, below:

- A. If, after the public hearing, the Commission wishes to recommend *approval*, then the appropriate fact finding would be in agreement with Items 1 and 3, and one or more factors of Item 2, of the following.
 1. The proposed GDP furthers the purposes of the Zoning Ordinance as outlined in Section 98-005 and the applicable rules and regulations of the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA).
 2. One or more of the following factors have arisen that are not properly addressed on the current Official Zoning Map:
 - a. The designations 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. And;
 3. The proposed GDP amendment maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

Or:

- 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 Items 1, 2, or 3 of the following:
1. The proposed GDP does not further the purposes of the Zoning Ordinance as outlined in Section 98-005 and the applicable rules and regulations of the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA).
 2. One or more of the following factors have not arisen that are not properly addressed on the current Official Zoning Map:
 - a. The designations 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 does not maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

GDP: Staff Recommendation:

Staff recommends that the Plan Commission recommend *approval* of the amendment to the GDP as submitted, including the granting of the requested zoning flexibilities.

Staff recommends the affirmative set of findings provided above, noting that the proposal meets Factor 2c. Specifically, the proposal maintains the desired consistency of land uses, land use intensities, and land use impacts within the proximate commercial area. Staff recommends no additional conditions of approval.

GDP Suggested Motions:

- *Approve:* I recommend approval of the *proposed General Development (GDP) for Geneva Square to allow for additional Commercial Indoor Entertainment and In-Vehicle Sales and Service in the Planned Business (PB) zoning district at Tax Key No. ZYUP 00137C1*, including the affirmative set of findings, and any additional condition of approval recommended by staff.
- *Deny:* I recommend denial of *proposed the General Development (GDP) for Geneva Square to allow for additional Commercial Indoor Entertainment and In-Vehicle Sales and Service in the Planned Business (PB) zoning district at Tax Key No. ZYUP 00137C1* based on the following finding of fact, because *[provide rationale for denial, based on disagreement with at least one of Items 1, 2, or 3, above]*

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

APPLICATION FOR GENERAL DEVELOPMENT PLAN OR AMENDMENT

City of Lake Geneva

Site Address/Parcel No. and full Legal Description required (attach separate sheet if necessary):

80 East Geneva Square - Lake Geneva, WI

ZYUP 00137C1 - see attached

Name and Address of Current Owner: Geneva Square - GS Outlot 3, LLC

2737 Central Street, Evanston, IL 60201

Telephone No. with area code & Email of Current Owner: 847-869-4200

Greg@Schermerhorn-RealEstate.com

Owner Signature: _____

Name and Address of Applicant:

Gregory Hughes - Managing Agent

2737 Central Street, Evanston, IL 60201

Telephone No. with area code & Email of Applicant: _____

-Same as above -

Proposed Use: Commercial Retail Building

Approximately 4,000 sq.ft.

two - three spaces

Zoning District in which land is located: PD

Names and Addresses of architect, professional engineer and contractor of project:

Architect - Hundt Architecture - Milwaukee, WI

Engineer - Ellena Engineering Consultants, LLC - Wales, WI

General Contractor - KJN Builders - Delafield, WI

Short statement describing activities to take place on site:

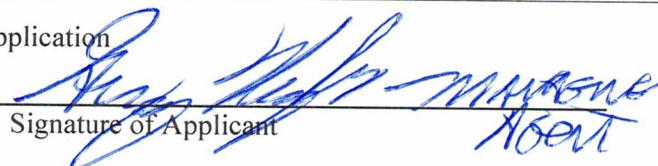
Build a small outlot retail / commercial building to be a part of the

Geneva Square Center. Design & Build a high quality attractive architecture
to compliment the existing buildings at Geneva Square.

GDP fee \$400.00, payable upon filing application

2/2/24

Date


Signature of Applicant

_____ 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 **\$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.** Surplus deposits shall be returned to the Applicant at the conclusion of the project.

Gregory Hughes, as applicant/petitioner for

Project: _____
Geneva Square

Project Address: _____
80 East Geneva Square

Parcel No. _____
ZYUP 00137C1

Name: _____
Gregory Hughes - Managing Agent

Address: _____
2737 Central Street

Evanston, IL 60201

Cell Phone: (847) - 626 - 4325

Phone: (847) - 869 - 4200

Email: _____
Greg@Schermerhorn-RealEstate.com

Dated this 2nd Day of February, 2024

Printed Name of Applicant / Petitioner

Gregory Hughes

Signature of Applicant/Petitioner

 ABOUT 2/2/24

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: _____ 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 80 East Geneva Square
Applicant name Gregory Hughes
Applicant email Greg@Schermerhorn-RealEstate.com Phone Number 847-869-4200
Architect/Contractor/Designer Name Hundt Architecture
Architect/Contractor/Designer Email Ryan@HundtArchitecture.com Phone Number 414-554-3853
Type of Construction: New ☒ Addition ☐ Remodel ☐
Type of Development: Single-family ☐ Multi-family ☐ Commercial ☒ Industrial ☐
Type of Business Commercial - Retail

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
 - 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
 - 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 _____
- Will there be signage? YES / NO type (mounted, freestanding) _____
- Exterior lighting plans? YES / NO
- What kind of noise or level of noise will the business have? _____
- Detailed property Site Plan? YES / NO Date of Plan: _____
- 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:

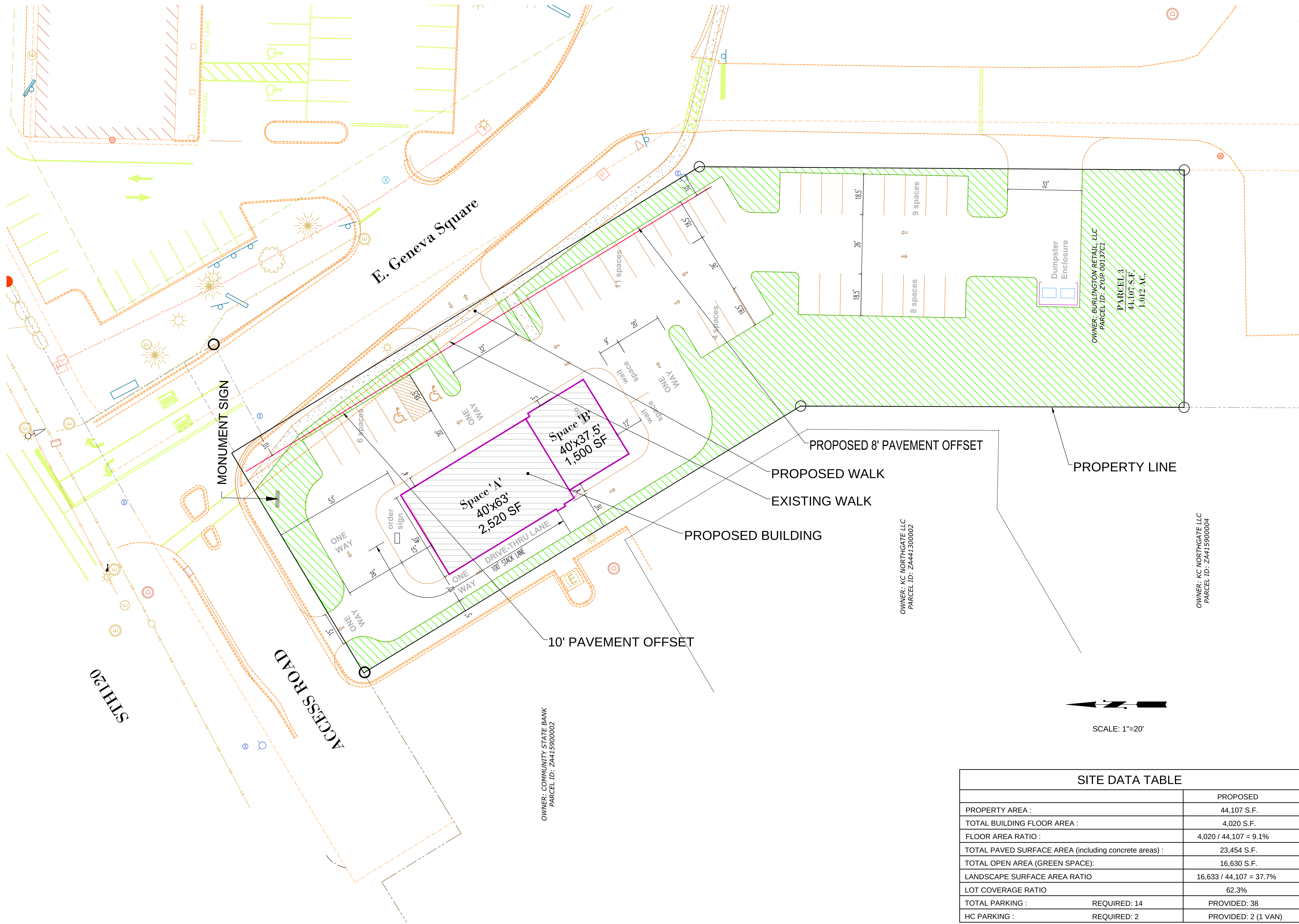
- Will existing sewer & water connections be used? YES / NO
- Will your project require the installation of a grease interceptor? YES / NO

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 _____



SITE DATA TABLE		
		PROPOSED
PROPERTY AREA :		44,107 S.F.
TOTAL BUILDING FLOOR AREA :		4,020 S.F.
FLOOR AREA RATIO :		4,020 / 44,107 = 9.1%
TOTAL PAVED SURFACE AREA (including concrete areas) :		23,454 S.F.
TOTAL OPEN AREA (GREEN SPACE):		16,630 S.F.
LANDSCAPE SURFACE AREA RATIO		16,633 / 44,107 = 37.7%
LOT COVERAGE RATIO		62.3%
TOTAL PARKING :	REQUIRED: 14	PROVIDED: 38
HC PARKING :	REQUIRED: 2	PROVIDED: 2 (1 VAN)

EEC

ELLENA ENGINEERING CONSULTANTS, LLC
SITE CIVIL ENGINEERING & STORMWATER MANAGEMENT
700 Pilgrim Parkway - Suite 100 Elm Grove, WI 53122
Phone: 262-719-6183 Fax: 866-457-2584 Email: mellenae@eeceng.com

GENEVA SQUARE – PARCEL 3 OUTLOT
LAKE GENEVA, WI

SITE PLAN

WISCONSIN
MARK R. ELLENA
E-24090
WALES, WI
PROFESSIONAL ENGINEER

DATE: 02-22-24
BY: MARK R. ELLENA, PE
SCALE: 1"=20'

SHEET NUMBER
C100

DATE	DESCRIPTION

Page 42 of 47

LETTER OF TRANSMITTAL

To:	Sonja Kruesel, AICP	CC:	Fred Walling
From:	Gregory Hughes & Mark R. Ellena	Date:	February 23, 2024
Re:	PB Requested Flexibilities @ 80 Geneva Sqaure		
Attached:	Site Plan		

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☒ As Requested

Sonja,

Please include the following in your review for placing the proposed PD on the next available Plan Commission agenda.

- (1) General Project Description:
- (2) List of Requested Flexibilities:
 - a) 98-206 (4)(c)3: Parking Regulations: one space per three persons. REQUEST: Parking regulations shall be determined by Retail use as 1 stall/300sf.
 - b) 98-604 (1)-(4) Landscaping Requirements for Building Foundations: minimum amount of landscaping placed near the building foundation. REQUEST: Landscaping requirements be reduced to placement of large planters at 25' on center at the perimeter of the proposed building.
 - c) 98-702 (6) Access Near Street Intersections: At its intersection with the street right-of-way line on an arterial or nonresidential collector street, no access point shall be located closer than 100 feet from the intersection of any two street rights-of-way unless such street is the only available frontage on the subject property. In all cases, access points shall be located as far from an intersection as the lot size permits. REQUEST: The north access point to the subject parcel be approximately 80', due to the only available frontage.
 - d) 98-702 (10) Width of Driveways: All access drives shall have a minimum width of 10 feet for one- and two-family dwellings, and 18 feet for all other land uses. All curb openings for access drives shall have a maximum width of 25 feet for all residential uses, and 35 feet for all nonresidential uses, as measured at the right-of-way line. Access drives may be flared between the right-of-way line and the roadway up to a maximum of five additional feet. REQUEST: 12' wide for one-way entry and 32' wide for two way easterly access.
 - e) 98-105(3)(d)4.b.I Planned Business (PB) District I: Minimum Paved Surface Setback: 5 feet from side or rear; 10 feet from street: REQUEST: 8' minimum paved surface setback due to east property line excessive distance from existing roadway.
 - f) STORMWATER MANAGEMENT: The site will disturb less than 1 acre and be tributary to the regional storm water basin in Geneva Square. Local erosion control review & permitting to follow.

I believe this contains our complete list of the requests for site flexibility as a justification for PD zoning.

Thank you, Mark



ELLENA ENGINEERING CONSULTANTS, LLC
SITE CIVIL ENGINEERING & STORMWATER MANAGEMENT

Mark R. Ellena, PE
Ellena Engineering Consultants, LLC
700 Pilgrim Parkway, Suite 100
Elm Grove, WI 53122
Phone: (262) 719-6183
Email: mellena@eeceng.com

GENEVA SQUARE
80-168 East Geneva Square
Lake Geneva, WI 53147

February 29, 2024

City of Lake Geneva
Community Development Committee

Re: 80 East Geneva Square Outlot
General Project Description

Dear Committee Members:

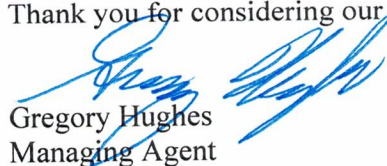
80 East Geneva Square is part of the original development of the Geneva Square Shopping Center. As one of the original four outlots, this site is at the north entrance to the shopping center off Highway 120. As you pull in from Hwy 120, the area to be developed is on the west side before you reach the Piggly Wiggly.

As had been the plan all along, we are looking to develop the site with a one-story retail building. The site is approximately 44,100 sq. ft and the building would be approximately 4,020 sq. ft. The building would be built with a similar updated style and use similar architectural features of the main center, so as to become a cohesive part of Geneva Square. The space will be divided into two or three possible units, although we already are working with a prospective tenant who wants to take 2,520 sq. ft. The remaining 1,500 sq. ft. would not have any drive-thru component. There would also be limited outside seating.

Between the site and the main center, we would like to ask for some flexibilities with items like parking, parking & sidewalk setbacks, and building landscaping. But there will be ample parking, and we intend to incorporate many landscaping features that have been used in the main center. We want to maximize the green space and limit paved surfaces by including landscaped dividers for sections of the parking areas and large planters around the building itself.

Geneva Square has always been a focal point for the community, and we intend to maintain that appearance and style for the residents and patrons from Lake Geneva and surrounding communities.

Thank you for considering our request.


Gregory Hughes
Managing Agent

STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: April 15, 2024

Agenda Item #10

Request:

Proposed amendment to Section 98-726, Murals.

Description:

The BID has suggested an amendment to the City’s mural ordinance to allow for murals on walls that face primary streets. The current ordinance prohibits murals on front façades (i.e., façades facing the primary street). The intention was to maintain the commercial and historic look of front façades and protect architectural features and character. However, there are some walls facing primary streets that could be appropriate for murals.

An example would be the wall that screens parking for Geneva Towers. That wall is considered a front façade, as it faces Broad Street, but it is a blank wall with no windows, architectural details, or building entrance. Putting a mural on a blank wall with no windows, architectural details, or building entrance could be desirable in some situations. However, staff feels that the decision should be made on a case-by-case basis and should be left up to the Plan Commission. Staff notes that the Geneva Towers parking wall is just an *example*, and staff is not making a recommendation on a mural in that location,

Staff has drafted an amendment to the mural ordinance that would allow the Plan Commission to determine what a “front façade” is for the purpose of locating murals.

The amendment below reflects suggestions from City Attorney Draper at the March 18, 2024, Plan Commission Meeting. Following a Public Hearing, the Plan Commission should make a recommendation to the Council.

The proposed amendment is on the following page of this report.

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

Proposed Amendment to Sec. 98-726 Murals.

(1) Purpose. This section is intended to enable the installation of murals in the City of Lake Geneva. Murals contribute to a livable and aesthetically pleasing community and support a unique, pedestrian-oriented built environment.

(2) Definitions. As used in this section, the following terms shall have the meanings indicated:

MURAL

Any picture, scene, or diagram painted or mounted on any exterior wall that does not contain a commercial message or otherwise meet the definition of a “sign” in Section 98-803. Signs as defined by this article shall be included in the calculations of allowable sign area.

(3) Procedure. Proposals for murals shall follow the procedures for site plan review and approval in Section 98-908.

(4) Location and placement.

(a) Murals ~~may shall~~ be located on side walls, rear walls, alley walls, or other walls without frontage on the primary street.

(b) Murals shall not be located on:

1. Front façades (i.e., façades ~~faeing~~ with frontage on the primary street).

a. Murals may be located on walls with frontage on a primary street, provided that said walls do not include the primary building entrance, are visually distinct from the primary façade, and are subordinate to the primary building façade. The Plan Commission shall make this determination on a case-by-case basis.

2. Walls with historic details (cornices, decorative sills, lintels, dentils, moldings, frames, brackets, and modillions, etc.) or decorative masonry work.

3. Over windows, doors, awnings, cornices, or other architectural elements.

4. Walls of wood siding with surface detail, such as bevel siding, board and batten siding.

5. Fences.

6. Preventative boarding.

(c) Painted murals. No mural shall be painted on unpainted brick, natural stone, or stucco. Murals on such surfaces should instead be painted on removable materials, such as durable wood panels or another suitable outdoor material, as determined by the Zoning Administrator. Anchoring shall be placed into masonry joints or other nondamaging areas of the walls. Framing shall be done so as not to trap water between the mural and the wall. Hanging or anchoring shall be reversible. Murals on panels shall be flush with the building exterior and shall not project beyond the edges or corners of the wall.

1. Murals may be painted on previously painted brick, nondecorative concrete block, or other nondecorative surfaces as determined by the Zoning Administrator.
- (d) No mural shall be permitted on a building that has had masonry cleaning or major repointing, nor shall a mural be used in lieu of cleaning, repointing, or other needed maintenance.
- (e) With the exception of murals in the Business Improvement District, no mural shall exceed 50% of the total area of the wall on which it is placed.
- (f) Murals shall be confined to one wall of a building and not wrap around to other sides, nor shall any building have more than one mural.

(5) Maintenance and removal.

- (a) If mural is peeling, faded, or damaged, the mural must be repainted, repaired, or removed by the property owner.
- (b) Murals may be removed at any time at the property owner's discretion.
- (c) Upon removal, any materials used to adhere the mural shall be removed at the same time. This includes, but is not limited to, brackets, mounting hardware, caulk or grout, and adhesive glues. The surface shall be returned to its original condition.