

VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN
(Official Minutes)

REGULAR MEETING of the VILLAGE OF FONTANA PLAN COMMISSION
Monday, October 30, 2006

President Whowell called the monthly meeting of the Plan Commission to order at 5:31 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Plan Commissioners present: Roll call: O'Connell, Spadoni, President Whowell, Poivey, McGreevy

Plan Commissioner absent: Treptow

Also present: Joe and Kathy Bikowski, John Clair, Village Administrator Kelly E. Hayden-Staggs, Eric Johnson, Lynn Landgraf, Village Clerk Dennis Martin, Ron McCormack, CDA Executive Director Joseph McHugh, Mac Niven, Building Inspector Ron Nyman, Jay Peterson, Village Attorney Dale Thorpe, Public Works Director Craig Workman, Carol Whowell

Visitors Heard

None

Announcements

Hayden-Staggs announced that Halloween Trick or Treat hours will be held in the Village of Fontana on Tuesday, October 31, 2006, from 4:00 to 7:00 PM; the CDA Board monthly meeting will be held Wednesday, November 1, 2006, at 6:00 PM; the Village Board monthly meeting will be held Monday, November 6, 2006, at 6:00 PM; the General Election will be held on Tuesday, November 7, 2006, with polls open from 7:00 AM to 8:00 PM; Highway 67 construction will dictate road closures until early November; the 2007 Village of Fontana Budget public hearing will be held Monday, November 20, 2006, at 5:00 PM; the Village Hall and Public Library will be closed for the Thanksgiving holiday from November 23 to 25, 2006; and a joint meeting of the Plan Commission and Joint ETZ Committee will be held on Monday, November 27, 2006, beginning at 6:00 PM.

Approve Minutes

Spadoni/O'Connell 2nd made a MOTION to approve the minutes for the meeting held September 25, 2006, and the MOTION carried without negative vote.

Public Hearing

Petition to Amend Zoning Ordinance Filed by Brian Pollard, FairWyn, Ltd. Mill Street Office Development

President Whowell opened the public hearing at 5:33 pm and asked Hayden-Staggs to present the background on the proposal. Hayden-Staggs stated that the FairWyn proposal is to incorporate the professional building at 450 Mill Street, which was approved in November 2004 as a conditional use in the C-2 zoning district, and the condominium/commercial building on the west side of Mill Street, which earned final approval in October 2006 as a Planned Development. Hayden-Staggs stated that the zoning ordinance amendment is a "housekeeping" measure that will combine the approval documents for the sites as one Planned Development and accommodate a request to keep the group monument sign erected at the corner of Highway 67 and Porter Court. Hayden-Staggs stated that monument sign has been allowed under the temporary sign amendment the Village Board adopted for the period during the Highway 67 construction project, which is scheduled to be completed by the end of the week. Attorney John Clair, representing FairWyn, stated that the professional building on the west side of Mill Street was initially approved under the CUP parameters of the C-2 zoning

district in order to expedite approval and construction while the PD approval process was carried out for the condominium and commercial building sites on the east side of Mill Street. Clair stated that the documents have been drafted to pull the two sites together under one PD. Thorpe stated the approval documents also address the developer's desire to have the initially planned "retail" building redefined as a "commercial" building that can accommodate retail tenants or professional offices. Thorpe stated that the draft ordinance includes clarification on the issue. Clair stated that the stipulation allowing for retail businesses or professional offices in the future building on the east side of Mill Street will prevent vacancies, provide for the greatest possible chance for success and enable FairWyn to meet the target property values for the TIF District. O'Connell stated that she hopes FairWyn will be able to secure a commercial tenant for the new building since it was an initial goal of the development project to have mixed uses on the site. President Whowell stated that it was his assumption since the beginning of the approval process that the building would be open for commercial or professional tenants. Hayden-Staggs stated that the dentist and chiropractic offices located in the FairWyn professional building at 450 Mill Street have provided jobs for Fontana residents, as will the tenants of the building on the east side of Mill Street regardless if they are commercial businesses or professional offices. McGreevy stated that the issue of commercial or professional tenants is not a big deal, and operating a successful retail business on a year-round basis is very difficult in Fontana. Poivey stated that he agrees with McGreevy and the developer may only be able to attract professional office tenants since it is tough to operate a retail business in the Village. Spadoni stated that he also does not have a problem approving the building site for retail or professional tenants. An owner of a Mill Street condominium unit asked if the Planned Development zoning proposal would cause the property values of the units to decline, and Thorpe and Clair stated that it was their opinion that the consolidation of the two sites will not impact the residential property values. President Whowell closed the public hearing at 5:44 pm.

Spadoni/Poivey 2nd made a MOTION to recommend Village Board approval of the Petition to Amend the Zoning Ordinance and Zoning Map from C-2 and Planned Development to Planned Development, and the General Development Plan as presented, and the MOTION carried without negative vote.

General Business

General Development Plan & Precise Implementation Plan Filed by Brian Pollard, FairWyn, Ltd. Mill Street Office Development

Clair stated that Thorpe did a good job drafting the Resolution that outlines the Precise Implementation Plan. Thorpe stated that the proposed PIP builds the Village record of the zoning requirements and construction plans for the current and future buildings, landscaping and signage. Thorpe stated that an easement will have to be drafted and approved at a future meeting for the group monument signage at the corner of Highway 67 and Porter Court.

Poivey/McGreevy 2nd made a MOTION to recommend Village Board approval of the Precise Implementation Plan Resolution as presented, and the MOTION carried without negative vote.

Renovation Plan Architectural Review for Building at 318 Third Avenue, Jamie and Carol Whowell

Carol Whowell presented a sketch and engineered elevations for the building addition plan. According to the professional staff report written by Assistant Zoning Administrator Bridget McCarthy, the applicants are proposing to construct a two-story addition. The proposal has been discussed by the Plan Commission and Village Board during consideration and approval of the vacation of Big Foot Street, and the plan meets the setback requirements of the Municipal Code; however, architectural review is required from the Plan Commission. The building is located in the TIF District redevelopment area and the project will exceed \$10,000 in total cost, so Architectural Review Board approval is required for the project. The CDA designated the Plan Commission as the Architectural Review Board. When the plan was presented to the CDA on August 1, 2006, the CDA Board approved a motion to approve the building addition subject to final review and approval by

the Plan Commission. The sketch submitted to the CDA and the engineered elevations differ slightly with regard to a roof overhang on the patio doors. Carol Whowell stated that she would like the roof to be included and it was not included on the engineered drawings because the contractor will not be installing the roof. Carol Whowell stated that the siding and shutters will match the existing building, and a new roof will be installed on the entire structure after the addition is completed. Hayden-Staggs stated that staff recommended that the patio door feature the roof and that materials used to construct the addition match the current building.

Poivey/McGreevy 2nd made a MOTION to approve the architectural review of the addition plan as presented, with the conditions the roof depicted in the sketch dated August 7, 2006 is included on the patio door and that the materials used to construct the addition match the current building, and the MOTION carried without negative vote. President Whowell abstained.

Building, Site and Operational Plan Filed for TCJ Partners, 531 Valley View Drive, Joe Bidwill

Nyman stated that the BSOP was filed because of an ownership change of the building. The new business is replacing the previous Titan Real Estate office and the applicant has indicated that the use will be a professional office. Staff recommended approval of the BSOP as presented with the conditions that the existing signage is clarified, that the signage stay in conformance with the zoning ordinance, and the applicant submit photographs and exhibits to match the information on the BSOP form.

Spadoni/Poivey 2nd made a MOTION to approve the BSOP as submitted with the conditions that the existing signage is clarified, the signage stay in conformance with the zoning ordinance, and the applicant submit photographs and exhibits to match the information on the BSOP form. The MOTION carried without negative vote.

PIP Amendment Concept Review for Abbey Springs

Architect Ron McCormack stated that the Abbey Springs membership is proposing various renovation projects for their existing facilities. McCormack stated that the membership was seeking expedited PIP amendment approval for the smaller projects on the two guard houses, the yacht club and the boat house, and they will be appearing at a future meeting to present a detailed renovation plan for the clubhouse. McCormack stated that the two phase construction proposal was planned to allow the members the optimum use of the club facilities while the projects are being carried out. The first phase, to begin as soon as possible, would consist of revisions to the yacht club, boat house and the guard houses at the north and south entrances at South Lakeshore Drive. The clubhouse addition and alteration plan is scheduled to begin in spring 2007 and be completed in spring 2008. Thorpe stated that if the proposed projects do not change the current use of the property, the approval process can be simplified with exhibit amendments. McCormack stated that the boat house plan is to construct an addition to be used for office space and storage. The proposal for the yacht club is for interior renovations and the construction of new restrooms. The proposal also calls for the yacht club driveway to be moved and slightly reconfigured to produce a larger landscaped area adjacent to the beach, and for the road to be widened and curbed. The proposal for the guard houses is to renovate the exterior with a “new, refreshing look,” with gable roofs, granite boulder bases and wood siding. McCormack stated that the color schemes and architecture for the proposed exterior renovations will match. The preliminary site plan for the clubhouse renovation calls for a new vestibule at the main entrance to the dining room with a canopy in front of the building; a new vestibule and covered walkway at the entrance to the recreation center; alterations to the main dining room and golf club grill to create one large dining room that can be partitioned for banquets; demolition of the golf club pro shop to be replaced with a new grill and a consolidated kitchen area with separate kitchens for the banquet rooms and for the golf club; refurbishment of the game room area; and a new “Kiddie Pool” area. McCormack stated that the new additions to the clubhouse will not be higher than the existing building. The Plan Commission was in consensus that the Abbey Springs membership will not approve alterations that are not in good taste or inappropriate for the

site, and that the proposals for the two guard houses, yacht club and boat house were minor alterations that will not change the current use. The Plan Commission also was in consensus following discussion that staff review will be adequate to ensure that the colors and materials used for the alterations will match. The plans for the clubhouse will be presented at a future Plan Commission meeting.

Spadoni/Poivey 2nd made a MOTION to recommend Village Board approval of the amendment to the Abbey Springs Precise Implementation Plan with regard to renovations plans for the two guard houses, the yacht club and the boat house as presented, and the MOTION carried without negative vote.

Toledo ETZ Petition – Announce Walworth Town Board Recommendation, Set Public Hearing

Hayden-Staggs stated that the Walworth Town Board reviewed the proposal to establish the proper zoning to accommodate the landscaping service business and the construction of a new storage shed on the property. Hayden-Staggs stated that staff reviewed the situation after learning of the Walworth Town Board’s support of the proposal and it was determined that the most appropriate action would be to rezone the property from A-1 to A-4. The A-4 zoning district allows for a contractor’s storage shed for the landscaping business under the conditional use permit approval process. Hayden-Staggs stated that the applicants will have to file a Petition to Amend the Zoning Ordinance and Zoning Map from A-1 to A-4, and a Conditional Use Permit application, both of which will have to be presented at a public hearing.

Spadoni/McGreevy 2nd made a MOTION to hold a joint public hearing with the Joint Extraterritorial Zoning Committee to consider the Petition to Amend the Zoning Ordinance and Zoning Map from A-1 to A-4, and the Conditional Use Permit application on Monday, November 27, 2006, beginning at 6:00 pm, and the MOTION carried without negative vote.

Pending Items for Future Agendas

1. Concept Review for CUP – Edward Lyon (Tabled 5/30/06 & 6/26/06)
2. Minimum Lot Size Requirement Discussion (Tabled 6/26/06)
3. Abbey Harbor Condo Plat
4. Fontana Village Inn BSOP

Adjournment

Spadoni/O’Connell 2nd made a MOTION to adjourn the meeting at 6:34 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin, Village Clerk

Note: These minutes are subject to further editing. Once approved by the Plan Commission, the official minutes will be on file at the Village Hall.

APPROVED: 11/27/06