

**MEETING OF THE PLAN COMMISSION OF THE  
VILLAGE OF LAKE DELTON  
October 1, 2012**

Upon giving proper notice pursuant to Section 19.84 Wis Stats, and certifying compliance with the open meeting law, a Meeting of the Plan Commission of the Village of Lake Delton was called to order on Monday, October 1, 2012 at 1:00 P.M. at the Kay C. Mackesey Administration Building.

Present were Chairman John Webb; Tom Diehl, Doug Clausen, Wally Czuprynko, David Schultz and Alternate Gordon Priegel.

Absent were Nick Laskaris and Allen Pentell.

Also attending were Attorney Richard Cross, Assistant Zoning Administrator Jack Roloff, Director of Public Works Gary Hansen, Engineer John Langhans, Robert Nagel, Leslie Bremer, Cary Brandt, Bill Pettit, Darren Marsich, Attorney Buck Sweeney, Frank Kaminski, Mike & Abby Wentland and the news media.

A Public Hearing was held to consider the request of Michael Wentland, APEXX, for a Conditional Use Permit, pursuant to Chapter 66 of the Municipal Code, Subchapter 66.54 (aa) to permit shared office space in a building to be constructed at 11 W Munroe Avenue a substandard lot.

Mr. Wentland's architects presented the plans for the APEXX Office of the Future. The project is located in the Commercial (C-1) district. A Conditional Use Permit is necessary due to the development on a substandard lot.

Considerable discussion was had with regards to the project.

- a. The existing free-standing sign
- b. Residential use
- c. Parking and garage
- d. Storage of the bobcat

This development must also meet the terms of the Development agreement dated 5/18/10 in regards to the "sunset clause" and use restrictions.

In a memo from Engineer/Zoning Administrator John Langhans, he stated that,

1. Parking setbacks and parking density requirements are met. A van accessible stall is required per code. Revisions to parking layout are necessary to accommodate this.
2. Structure setbacks are met.
3. Existing stand-alone shed/garage shown on previous plans has been removed.
4. Water quality requirements have been met via proposed installation of a rain garden.
5. Landscape plans have not been submitted and shall be required as a contingency if this project is approved. Landscaping shall be consistent with the adjacent future Village streetscaping efforts. Future coordination will be required.
6. No information has been submitted in regards to the adequacy of the existing foundation to support

proposed improvements. Proposed use/loads shall be confirmed by a structural engineer, licensed in the State of Wisconsin, and made a contingency of approval. This will need to be provided prior to issuance of a building permit. To date confirmation has not been received from the developer or his consultants.

7. State approved plans shall be required for this project. After performing an initial code review on the proposed plans the following items require attention if the development is to proceed as planned:

- a. Accessibility
  - i. Disabled Parking
  - ii. Van accessible parking stall is needed – Revise and note size of stall and access aisle
  - iii. Provide Signage – Revise
  - iv. Cross slope may exceed 1/50 – Revise
- b. Entry ramps (West & East doors)
  - i. Provide Handrails
  - ii. Clarify ramp & landing configurations & slopes
  - iii. Upper landings are too small
- c. Clearances
  - i. East entry door is deficient
  - ii. Provided open knee space needed under sinks and lavatories
  - iii. Many second floor doors are deficient
  - iv. In new construction Second floor features/rooms should be accessible even if not on an accessible level
- d. Signage – Provide restroom signage
- e. Kitchens shall have accessible sinks & work surfaces
- f. Building Code
  - i. Provided State approved building/HVAC drawings are required
  - ii. List commercial occupancy groups/uses & construction classification under the IBC clearly in a code summary on the drawings
  - iii. Fire Rating to Garage. Attention to second floor & deck areas needed also
  - iv. May need second exit from second floor or fire rated stair
  - v. Deck is a dead end area and may need door to exit into building at northwest end
  - vi. Provided exit & egress lights
- g. General
  - i. Where is mechanical equipment?
  - ii. Fully developed final documents will require submittal to the Village

8. The proposed garage plan shows parking for a “bobcat”. Unclear as to why a financial services company requires storage for construction equipment  
(Applicant responded that the bobcat will be used for snow removal)

9. Unclear on why this proposed commercial office use requires a 2-car garage.  
(Applicant responded that the garage was a personal preference)

10. In Mr. Langhans’s opinion, the proposed second story floor plan (with bath and kitchen), expansive exterior deck and proposed 2-car garage gives the strong appearance of a proposed “mixed-use” that blends business and residential uses. The proposed conditional use application has no reference to a “mixed-use”. The proposed plans do not appear to meet the “sniff-test” to be

confident that this is not a mixed use. The two car garage and upper level floor plan appear strongly consistent with residential use. Furthermore, it should be noted that on sheet A1 (floor plans) the proposed “carpeted storage area” has a label of “bedroom” in the door schedule. This may be a typo or it may not be.

11. The architectural style of the building is modern and appears to be generally acceptable with Village architectural standards. Building height is within allowable standards.

The plan commission should consider if this proposed development meets the goals and vision for this area of the Village and if the use is consistent with other adjacent parcels. Additionally, the Village should consider any impacts that the proposed development may have to adjoining or adjacent property and overall aesthetics to this area.

As this is a conditional use, the Village may choose to consider other contingencies or terms regarding potential approval or denial. Some items for consideration and discussion in regards to potential approval are as follows:

1. Approval of the use and site plans contingent upon the removal of the garage and second story.
2. Approval of the use and site plans contingent upon the removal of the second story only
3. Approval of the use and site plans contingent upon modifications to the second story to avoid the potential for residential use
4. Approval of the development as proposed
5. Other approval terms as identified by the plan commission

If the Village decides to approve this development (under any of the above-mentioned scenarios), Mr. Langhans recommended that it be contingent upon the following items:

1. Full conformance with all applicable IBC and Accessibility Codes
2. Receipt of State Approved Building Plans
3. Certification by a licensed structural engineer that the existing foundation is adequate for the proposed multi-story use
4. Upper-story shall not be used for residential purposes and if residential use is discovered the conditional use permit shall be revoked
5. Future landscaping plans shall be submitted and coordinated with the Village’s proposed streetscaping plans/efforts at the intersection

Motion by Tom Diehl, Second by Doug Clausen to recommend approval of the Conditional Use as presented and requested by Mr. Wentland, contingent on the following:

1. Recommended contingency items 1-5 in Mr. Langhans memo
2. Removal of the off-premise sign
3. Remove the garage door to face the alley thereby improving the building appearance to Highway 12 & 23
4. Only the offices shown on the plan are approved, more offices must be approved
5. Storage room now shown on the second floor is approved
6. Before the October 8<sup>th</sup> meeting Attorney Cross is to draft a Conditional Use Permit for Attorney Sweeney and Mr. Wentland’s review

Motion carried.

Motion by Tom Diehl, Second by Wally Czuprynko to approve the architectural rendering with the same restrictions. Motion carried.

Motion by Tom Diehl, Second by Wally Czuprynko to adjourn. Motion carried. Meeting adjourned.

---

Kay C. Mackesey  
Clerk-Treasurer-Coordinator and Secretary  
of the Plan Commission