

CITY OF WHITEWATER  
PLAN AND ARCHITECTURAL REVIEW COMMISSION  
JOINT MEETING WITH COMMON COUNCIL  
Whitewater Municipal Building Community Room  
January 17, 2017

**ABSTRACTS/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL  
ACTIONS OF THE PLAN AND ARCHITECTURAL REVIEW COMMISSION**

Common Council meeting began at 6:30 p.m. Council Members in attendance included: Lynn Binnie, Stephanie Goettl, Patrick Singer, James Allen, James Langnes III, Christopher Grady.

**Call to order and roll call.**

Chairperson Meyer called the meeting of the Plan and Architectural Review Commission (joint meeting with the Common Council) to order at approximately 6:45 p.m.

Present: Greg Meyer, Lynn Binnie, Tom Hinspater, Kristine Zaballos, Bruce Parker, John Tanis (Alternate), Tom Miller (Alternate). Absent: Daniel Comfort, Sherry Stanek. Others: Chris Munz-Pritchard (City Planner), Wallace McDonell (City Attorney), Jackie Mich and Mike Slavney (Planning Consultants from Vandewalle and Associates).

**Verification of Proper Legal Notice.** A copy of the legal notice with an Affidavit of Printing was in the packet.

**Presentation of the proposed Comprehensive Plan amendments by the Consultant and City Staff.** City Manager Cameron Clapper explained that the City has been working on this throughout 2016. The amendment would be dealing with the data that needs to be updated. One item was added after the last Plan Commission meeting. That is the consideration of the land that is west of the bridge to well #9 and south of Walworth Ave. The current future land use for this area is single family residential. The proposed future land use was changed to mixed use. There was some concern about this change. The Common Council and the Plan Commission can hold off on approving that portion if they desire. The mixed use would allow for example, a credit union or car dealership. The Common Council and the Plan Commission are meeting together for expediency.

Councilman Allen questioned the “Smart Growth Initiative” for the “mixed use” area south of Walworth Ave. and west of Indian Mound Parkway (State guidelines for mixed use). There is concern of mixed use across from a single family neighborhood. Allen also asked about if the Comprehensive Plan document was a living document. Once a change is made it is not sealed in stone.

Mike Slavney explained that the Comprehensive Planning Law of 1999, had procedures which have been followed, a consistency requirement in which zoning must be in compliance with the Comprehensive Plan, and policy recommendations considered the Smart Growth Initiatives which include mixed use development, multi-modal transportation (pedestrian and bicycle would be important to Whitewater), environmental protection, and sound intergovernmental relations.

The proposed future land use map has approximately a dozen changes and 3 or 4 changes have been made to the policy recommendations. The future neighborhood and mixed use categories recommend a broad range of land uses that are found together and encouraged to be located together, such as, multi-family above offices or commercial space. When asked if the plan was to put mixed use on the south portion and residential on the north portion of the parcel west of Indian Mound Parkway and south of Walworth Ave., Slavney stated that the Comprehensive Plan cannot address that specific a plan. He suggested a small area plan, for policy, keeping track of land use transitions and transportation objectives such as safe intersections. Slavney also suggested that the Council can do one of three things for this parcel. Keep the zoning as is; make the change being careful about Zoning Map amendments or follow up the comprehensive plan with the small area plan. Consistency requires that the Zoning Map amendments are consistent with the Comprehensive Plan. The Comprehensive Plan allows for many opportunities to not accept a change or to wait. It is more constrained with what you can say yes to.

Jackie Mich, City Planning Consultant from Vandewalle and Associates, explained the process of amending the City Comprehensive Plan and the changes that are being made. She explained that the proper noticing had been met. It is required by the State to give at least a 30 day notice to the official paper prior to the public hearing date. (There are other parties to be notified such as other news media that have filed a written request, and interested property owners who have filed a written request to receive notice of action affecting their property). She also explained that the Plan Commission makes recommendation to the Common Council for any changes to the Comprehensive Plan and the Common Council holds the public hearing. The Boards are meeting together so the Plan Commission has the benefit of hearing any testimony from the public hearing. She was asked if individual property owners were sent notice of changes to properties that might affect them. They were not.

The Comprehensive Plan sets the policy for the growth, development, and preservation of the community. The proposed amendments affect the Existing Land Use Map (Map 4), the Future Land Use Map (Map 5), and Chapters 2, 3, 7, 9, and 10 of the Plan document.

### **Purpose**

The purpose of the proposed amendments to the Comprehensive Plan is to:

1. Update the data in the plan to reflect changes that have occurred since the Comprehensive Plan was adopted in 2010 and to include the latest available housing and economic data from the U.S. Census Bureau and the latest land use data from the City.
2. Update the text of the Comprehensive Plan to reflect changes to the zoning ordinance, new zoning districts, and the creation of the R-2A and R-3A permission areas and zoning designations.
3. Update the Existing Land Use Map (Map 4) to reflect current development patterns, and the Future Land Use Map (Map 5) to reflect the R-2A permission area, current development patterns, and adjustments in policy.

### **Proposed Amendments to the Comprehensive Plan Text:**

1. Chapter 2: Update demographic data to reflect the latest data from the U.S. Census Bureau.
2. Chapter 3: Update information about farmland preservation to reflect current programs.

3. Chapter 6: Update the housing data to reflect the latest information available.
4. Chapter 7: Throughout the chapter, update descriptions of future land use categories to reflect changes to the zoning ordinance and the new zoning districts adopted in 2014.
5. Chapter 7: Update the description of the “Central Area Neighborhoods” to reflect the new R-2A permission area. Clarify that within the R-2A permission area, rezoning parcels to R-2A to allow more than three unrelated individuals may be granted on a case-by-case basis. Clarify that rezoning to more intensive residential zoning districts is strongly discouraged outside of the R-2A permission area.
6. Chapter 7: Update the description of the “Higher Density Residential” future land use category to reflect changes to the zoning ordinance, new zoning districts, and the creation of the R-2A permission area.
7. Chapter 7: Revise the description of the “Mixed Use” future land use category to provide more policy direction to the City and to suggest design features suitable for mixed use, pedestrian-oriented development.
8. Chapter 7: Update the land use data and land demand projections to reflect the latest information available.
9. Chapter 9: Update the Utilities and Community Facilities Timetable (Figure 9.5).
10. Chapter 10: Update the economic data to reflect the latest information available.

**Proposed Amendments to the Comprehensive Plan Maps:**

1. Update the Existing Land Use Map (Map 4) to reflect current development patterns.
2. Update the Future Land Use Map (Map 5) to reflect the R-2A permission area, current development patterns, and adjustments in policy.

**Importance of the Future Land Use Map:**

A primary purpose of the Comprehensive Plan is to recommend a future pattern of development for the community. To accomplish this, the Comprehensive Plan establishes distinct future land use categories (e.g., Agricultural Preservation, Single Family Residential-City, Community Business, etc.). These categories are depicted on the Future Land Use Map and are each represented by a unique color. Future land use categories are assigned to every parcel of land in the City and in the City’s 1½-mile extraterritorial jurisdiction.

In the Comprehensive Plan, descriptions of the future land use categories and the zoning districts appropriate to implement each category are provided on pages 75-97. The Future Land Use Map is provided on page 99 (Map 5). The categories shown on the Future Land Use Map is important, because Wisconsin Statutes require zoning map amendments (rezoning) to be consistent with the Future Land Use Map.

City Planner Chris Munz-Pritchard explained the changes to the future land use map. Munz-Pritchard also noted that when this process was started there were different Board members, so the list of Board members must be updated.

Airport parcels were changed from Agricultural to Institutional (community facility) as the land is not used as agriculture, but as an airport.

Fairhaven parcel was changed from Future Neighborhood to Mixed Use to allow for buildings other than residential on the parcel (community building, apartments etc.)

Tech Park to Hwy. Commercial (along W. Main Street on the west side of Whitewater) as this area is no longer planned as a Tech Park.

Remove Park Land due to no longer using arbitrary polygons, the park land was removed and replaced with the use of the parcels it fell within – following parcel lines.

DP Recycling Parcel was changed from Tech Park to Business Park. This was changed because the parcel was rezoned for business park use.

The land located west of S. Indian Mound Parkway and south of Walworth Avenue was changed from Future Neighborhood to Mixed Use.

The Inset Map shows the change from Community Business (former funeral home) to Multi-Family (now apartment building). And it was requested that the parcels west of Whiton Street (Central Neighborhood) become Single Family Neighborhood to preserve the neighborhood.

There was a mix up in the maps, not sure how it happened.

Common Council members voiced concerns: there is a lot of information; they appreciated all the work put into the document; the document is not ready for final approval; seems like too much of a hurry to get this through; there are a lot of questions and concerns; items need to be removed or updated that have changed such as the major improvements currently underway at the wastewater treatment plant and that the City does not have an independent grocery store; not comfortable adopting the amendments at this meeting; need to split up the meetings, Plan Commission do their part at their meeting and then go to the Common Council for their public hearing meeting (check and balance situation).

City Manager Cameron Clapper explained that it would be a repeat process with the Plan Commission. The City would need to determine whether to do an update or an amendment. This could be vetted at the Plan Commission.

Plan Commission Member Parker stated that he would rather see a complete update. We don't need to wait until 2019. Plan Commission Chairperson Meyer agreed.

City Attorney McDonell explained that a work session would be held at the Plan Commission. The Plan Commission would make a resolution to the Common Council. When it comes back to the Common Council, it would be a full public hearing.

Councilperson Goettl stated that she would like single letters to the property owners that are affected by the changes.

City Attorney McDonell suggested that notification be the same as for a conditional use, property owners within 300 feet of the changed property. He asked the Planning Consultants if the small area plan is to be a part of the Comprehensive Plan or if it is to be its own document. If it was to be a part of the Comprehensive Plan, any development would have to be consistent with the small area plan. It was determined that it would be better to have a separate document.

When asked about the time line for a full update, Slavney explained that there is a critical path determined by the amount of public participation and the type of public participation. A full update would take two to four months, depending on activities involved. Vandewalle and Associates will provide a menu to the City Staff for a time line. There are also budgetary implications.

City Attorney McDonell recommended carving out a few changes and cleaning up a few areas that should be done now. City Manager Clapper added that the maps and the use of one piece of property are the big issues to address with the need to provide notice more broadly than required. The amendments are relatively simple and with more description could be brought back for discussion in a relatively short period of time. The City would spend a lot more to get the update accomplished.

The Common Council moved to refer the amendments back to the Plan Commission to discuss a possible full update. Regardless make corrections even if just technical and clean up errors. The southwest corner of Walworth Ave. and Indian Mound Parkway should be discussed and brought back. Public notice should be sent to affected properties with a letter explaining what is happening. It was decided that property owners within 300 feet, of properties that are being changed, should be notified. Aye: Binnie, Goettl, Singer, Allen, Langnes, Grady. No: None. Motion approved.

Moved by Chairperson Meyer and seconded by Parker to adjourn the Plan Commission portion of the meeting. Motion approved by unanimous voice vote. The Plan Commission portion of the meeting was adjourned at approximately 7:51 p.m.

---

Chairperson Greg Meyer