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CITY OF EVANSVILLE
ORDINANCE # 2005-17

AN ORDINANCE ADOPTING THE SMART GROWTH
COMPREHENSIVE PLAN OF THE
CITY OF EVANSVILLE, WISCONSIN

The Common Council of the City of Evansville, Rock County, Wisconsin, do ordain as follows:

SECTION 1. Pursuant to Sections 62.23(2) and (3), Wis. Stats., the City of Evansville, Wisconsin, is authorized to prepare and adopt a comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1001(2), Wis. Stats.

SECTION 2. The Common Council of the City of Evansville, Wisconsin, has adopted written procedures designed to foster public participation in every stage of the preparation of a comprehensive plan as required under Section 66.1001(4)(a), Wis. Stats.

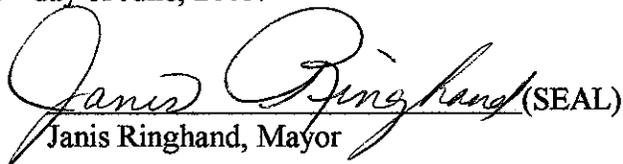
SECTION 3. The Plan Commission of the City of Evansville, Wisconsin, by a majority vote of the entire Plan Commission has adopted recommending to the Common Council the adoption of the document entitled, "City of Evansville Smart Growth Comprehensive Plan, Recommended April 2005," which contains all of the elements specified in Section 66.1001(2), Wis. Stats.

SECTION 5. The City of Evansville, Wisconsin, has held at least one public hearing on this ordinance, in compliance with the requirements of Section 66.1001(d)(4), Wis. Stats.

SECTION 6. The Common Council of the City of Evansville, Wisconsin, does, by enacting this ordinance, formally adopt the document entitled, "City of Evansville Smart Growth Comprehensive Plan, Recommended April 2005," together with any modifications noted in the minutes of the special meeting of the Common Council on June 15, 2005, pursuant to section 66.1001(4)(c), Wis. Stats.

SECTION 7. This ordinance shall take effect upon its passage by a majority of the members-elect of the Common Council of the City of Evansville, Wisconsin, and publication as provided by law.

Passed and adopted this 15th day of June, 2005.

 (SEAL)
Janis Ringhand, Mayor

ATTEST:

 (SEAL)
William E. Connors, City Administrator

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Introduced: 6/14/05
Notices Published: 5/11/05 and 5/18/05
Public Hearing Held: 6/15/05
Adopted: 6/15/05
Published: 6/22/05 (within 10 days of adoption)

Drafted on 6/10/05 by William E. Connors, City Administrator

Common Council
Special Meeting
Wednesday, June 15, 2004, 6:30 PM
City Hall, 31 S. Madison Street, Evansville, WI

MINUTES

The meeting was called to order at 6:37 PM by Mayor Ringhand. Present were: Mayor Ringhand and Alderpersons Aikman, Cothard, Hammann, Roberts, Sornson, and Wessels. Absent were Alderpersons Anderson and Kooyman. Staff present: Bill Connors, City Administrator.

The Agenda was approved as printed.

Citizen appearances other than agenda items listed. None.

Unfinished Business. None.

Communications and Recommendations from the Mayor. None.

Communications and Recommendations from the City Administrator. None.

New Business.

Motion by Roberts, seconded by Cothard, to adopt Ordinance #2005-17, adopting the Smart Growth Comprehensive Plan for the City of Evansville. Mayor Ringhand opened the public hearing at 6:38 PM.

Roger Berg, 75 Exchange St., gave an overview of the efforts that led to the completion of the plan, starting four years ago with a retreat in Madison moderated by Bert Stitt. That retreat produced a planning committee, which eventually handed its work over to a 14-member Smart Growth Planning Committee. The committee worked for a time with an agent from the UW-Extension Service, and then searched for a consultant for the city to hire to assist with producing the plan. This plan is more in-depth than previous city plans because it focuses on the inter-relationships among the various elements, not just on land use planning in isolation.

Ald. Bill Hammann said he joined the planning process two or three years ago. He mentioned some transportation issues addressed in the plan, such as bypass streets/highways and improving the sidewalk network to make Evansville a walkable community. The plan discusses the impact of residential development and population growth on the schools. The plan is not perfect, but will grow and evolve over time. The city, particularly the Public Works Committee he chairs, already is implementing some of the objectives in the plan.

Amy Emery, OMNNI Associates, the planning consultant who assisted the city with preparing the plan, discussed what planning is and what the purpose of the plan is. She

said the plan does not change the current zoning of any property. The plan probably will, and some would argue must, change over time. Proposed amendments to the plan will require a public hearing. She reviewed the history of the city's 1986 master plan and 1996 master plan update. She noted that the state budget bill includes a repeal of the state's Smart Growth law, but Gov. Doyle has threatened to veto the budget if it includes this provision. Furthermore, the City of Evansville wanted to have a new plan, regardless of the law. She discussed her summary of the written comments distributed at the meeting, with the following corrections: (1) the Evansville Community School District proposed revised text for one paragraph about educational attainment, (2) on page 2 of the summary, Mr. Woulfe comments were about proposed "mixed use," not multi-family residential use, and (3) on page 3 of the summary, Mr. McCallister's comment was about mass merchandising retailers, not realtors.

Don Krajeck, 17801 W. Kyle Rd., extended the Town of Union's congratulations to the city on completing its new plan.

Richard Woulfe, 255 E. Main St., said the proposed "mixed use" on E. Main St. between Union St. and Cemetery Rd. does not make sense. He noted the Plan Commission refused to permit a business at the bed & breakfast on W. Church St. to go into that residential neighborhood, and thinks the city should do the same for his residential neighborhood on E. Main St.

Ayn Steinlein, 243 E. Main St., said she opposes the proposed "mixed use" on E. Main St. She noted that, at present, there are only three commercial buildings in that area. She said it is not fair to allow businesses to go in next to the houses of people who purchased their homes in what they thought was going to be a residential neighborhood.

Sceone Gard, 263 E. Main St., said there are many young families with children living on E. Main St., and more commercial use in that area would create an increased safety risk for the children.

Ron Schmit, 260 E. Main St., said he opposes the proposed "mixed use" on E. Main St. because there is plenty of room for additional commercial use on Union St., which is a better location for that use. He also noted that if a USH 14 bypass were ever built, it would make it difficult for businesses on E. Main St. to survive.

Bill Kober, 303 E. Main St., asked the following rhetorical question: would the proposed "mixed use" on E. Main St. allow an adult store to open next to his house?

Sue Woulfe, 255 E. Main St., said that if the city wants an attractive gateway to the city, encouraging people to fix up their historic residences along E. Main St. is a better way to do this than encouraging "mixed use." She asked that E. Main St. be designated as residential only from the Citgo at the intersection with Union St. all the way to the Curves building.

Wayne Steinlein, 243 E. Main St., warned that if the city permits commercial on E. Main St., commercial use will come there and eventually replace residential use.

Michael Pierick, 126 Grove St., said he is a member of the school board, but was speaking only on behalf of himself. He warned that if the city's policies allow the ratio of assets (taxable tax base) to enrollment to erode, it will damage the school district. Growth management is imperative. School age children are becoming a larger percentage of Evansville's population. Enrollment is increasing faster than the general population, which will result in higher property taxes. Too many "low value" homes are being constructed in the city. He requested amending page 36 of the plan to say the city must consider growth management measures.

Pat Engendorf, 22 Jackson St., said she opposes "mixed use" on E. Main St. She said the city needs more industrial development so young people graduating from Evansville High School who do not want to go on to college can get a good job here in Evansville. She said the city also needs more commercial use, and there used to be a lot more businesses in Evansville in the past.

Doug Zweizig, 6037 N. Finn Rd., said he was a past member of the Evansville Smart Growth Planning Committee and is now the chair of the Union Smart Growth Planning Committee, but said his comments were solely his own. He urged the city to implement a better planning process in the future. He characterized the existing city planning process as being opportunistic, short sighted and secretive. He observed the city's master plan be changed to meet the opportunity created by the new availability of land for development, rather than shaping the opportunity to fit the plan. It is his understanding that the city approved a master plan amendment and subdivision of a property on the west side because of a bad decision the city made years ago in investing in a sewer lift station. He said the process is secretive in the sense that it is hard for citizens to understand what is happening in time to intervene and voice their concerns before the development approval process is so far along that, effective, it cannot be stopped or significantly altered. The text of public hearing notices does not clearly identify the location of the property and the maps are illegible. The city has allowed rapid residential development on the west side without first having a transportation plan in place. The city does not require any calculation of the impact of development on school taxes before approving development. He urged the city to develop a checklist for evaluating future proposed residential subdivisions. He is not against growth, but against growth that is not well planned and not consistent with the community's vision.

John Decker, 143 W. Main St., spoke as member of the board of the Evansville Manor. He noted that the future land use map shows a variety of land uses on the block bounded by Garfield Ave., 4th St. and 5th St., where the Manor is located. The plan notes that the city needs more assisted living units, and the Manor has for years considered expanding to provide this and other related living opportunities and services. To remain viable in its current location, the Manor might need to undertake a number of expansions, and if

future land use map does not allow enough space for expansion on this block, the Manor might be reluctant to start the expansion process. The Manor would like the plan to give the Manor to at least the opportunity to approach its neighbors about acquiring their properties for expansion.

Mayor Ringhand closed the public meeting at 7:30 PM.

There was discussion among the alderpersons about the issue of "mixed use" on E. Main St. Kelly Gildner, 8409 N. Hwy 14, a member of the Smart Growth Committee, said she supports the idea of splitting E. Main St. from Union St. to Countryside Dr. into a residential only part on the west end and a "mixed use" part on the east end.

Roger Berg said he wanted the plan to create more opportunities for commercial activity in the city, but has been convinced by the neighborhood residents.

Sharel Surles, 125 Deanna Dr., a member of the Smart Growth Planning Committee, said the city needs more commercial/industrial tax base to decrease the dependence on residential property taxes to fund the city and school district.

Motion by Hammann, seconded by Sornson, to amend the future land use maps to show residential use on the north side of E. Main St. from the east edge of the Citgo gas station/convenience store/Subway restaurant parcel (owned by Francois Oil) to the west edge of the Curves property and on the south side of E. Main St. from the east edge of Franklin Park to the west edge of the Caribbean Breeze property. Motion passed.

Motion by Hammann, seconded by Cothard, to include maps of prime agricultural land and the flood plain in an appendix to address the comments from the state Department of Administration. Motion passed.

Motion by Hammann, seconded by Aikman, to add a USH 14 corridor task force to consider regulations regarding "big box" retail stores to Economic Development Goal #5, with a milestone date of 2006. Motion passed.

A recess was called at 7:54 PM. The Council reconvened in session at 8:09 PM.

Motion by Hammann, seconded by Roberts, to replace the second paragraph under Educational Attainment on page 26 with the second paragraph of Heidi Carvin's email message of 5/31/05 with technical corrections noted. Motion failed.

Motion by Hammann, seconded by Aikman, to ask the school district to rewrite the second paragraph under Educational Attainment on page 26 and resubmit it within two weeks to be included in the plan. Motion passed.

There was a discussion of measures to control growth. Mayor Ringhand said this issue would be addressed as part of plan implementation.

There was a discussion of the future land use for the block bounded by Garfield Ave., 5th St. and 6th St. Mr. Connors said it was his understanding that the Manor might not be willing to go forward with the first phase of its expansion unless the whole block is potentially available for further expansion in the future. Ald. Wessels said the Manor has told neighboring landowners for years someday it might be interested in purchasing their properties for expansion.

Motion by Cothard, seconded by Wessels, to change the future land use maps to show the entire block bounded by Garfield Ave., 5th St. and 6th St. as a location for future multi-family housing, except the parts of the block already shown on the future land use map as institutional use. Motion passed.

There was discussion of the future use of the old co-op property at the southeast corner of E. Church St. and Maple St. Dave Moore, Baker Manufacturing, 133 Enterprise St., said Baker Manufacturing opposes any residential use anywhere on this property. Mayor Ringhand said she agrees that it would not be wise to allow residential development to occur in that location. Mr. Connors pointed out that the future land use map currently shows this property as a location for future heavy industrial development, which he thinks was a mistake. Several alderpersons said they would like to see commercial or light industrial uses on this site.

Motion by Hammann, seconded by Wessels, to change the future land use map to show the old co-op property at the southeast corner of E. Church St. and Maple St. as a location for future light industrial.

There was a discussion of the other locations where future heavy industry is shown on the land use maps. The consensus was to leave all of these locations marked as shown, because it is easier to go from heavy industrial to light industrial than the other way around.

Motion by Aikman, seconded by Roberts, to change the property east of the Gibbs Construction property on the south side of Water St. to future heavy industrial to the same distance from Water St. as the Gibbs Construction property currently is zoned for light industrial. Motion passed.

Mr. Connors distributed a copy of a letter he received this evening requesting that the city include in the plan that downtown crosswalks will be improved to make them more easily used by low-vision residents. For example, low-vision residents would like the intersection of Main St. and Madison St. to be controlled by traffic signal lights with beeping pedestrian crossing signs. The consensus was that the city should urge low-vision residents to participate in the design of the Main St. reconstruction project

scheduled for 2007. Ms. Emery pointed out that handicapped access is explicitly mentioned in Transportation Goal #3, and this would include low-vision residents.

Motion by Wessels, seconded by Aikman, to change "should consider growth management tools" to "must consider growth management tools" on page 39 under Rate of Housing Development. Motion passed.

Motion by Hammann, seconded by Sornson, to change the reference in the third paragraph on page 54 from "I-90 corridor" to "I-90/94 corridor." Motion passed.

There was discussion of the need to re-examine the plan regularly and to adopt amendments to the plan to address changing conditions. Ms. Emery pointed out that on page 197 of the plan, it says this.

The original motion, as amended, passed.

Motion by Roberts, seconded by Sornson, to adopt Resolution #2005-28, granting temporary authorization countersign city checks. Motion passed.

Introduction of New Ordinances. None.

Motion by Wessels, seconded by Cothard, to adjourn the meeting at 9:15 PM. Motion carried.

Prepared by:
William E. Connors
City Administrator

The Minutes are not official until approved by Council.