



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

**JOINT MEETING OF THE CITY COUNCIL AND
THE PLAN COMMISSION
MONDAY, NOVEMBER 13, 2023- 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL**

Council Members:

Mayor Charlene Klein, Council President, Mary Jo Fesenmaier, Council Vice President, Cindy Yager
Alderspersons: Tim Dunn, Peg Esposito, Linda Frame, Ken Howell, Shari Straube, and Joan Yunker

Plan Commission Members:

Mayor Charlene Klein, Alderperson Joan Yunker, Commissioners: John Gibbs, Joel Hoiland, Dr. 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 City Council
2. Meeting called to order by Plan Commission
3. Roll Call of members of City Council
4. Roll Call of members of Plan Commission
5. Election of Joint Committee Chairperson
6. Acknowledgement of Correspondence
7. Verification of proper legal notice
8. Presentation of the Comprehensive Plan Amendments by Vandewalle & Associates

9. Public Hearing on Comprehensive Plan Amendments:

- a.** Wisconsin Power & Light Company (WP&L) request to amend the Future Land Use Map to change the recommended future land use category for a portion of Tax Key # ZOP 00003 from Public Park & Recreation to Institutional & Community Services

- i.** Open Public Hearing by Common Council
- ii.** Reading of submitted comments
- iii.** Comments from the Public
- iv.** Plan Commission & Common Council questions
- v.** Closing of Public Hearing by Common Council

- b.** Lakeside Living LLC request to amend the Future Land Use Map to change the recommended future land use category for tax parcels ZCNS 00001 through ZCNS 00004 and ZCNS 00028 through ZCNS 00031 from Single Family Urban to Two-Family/Townhouse Residential

- i.** Open Public Hearing by Common Council
- ii.** Reading of submitted comments
- iii.** Comments from the Public
- iv.** Plan Commission & Common Council questions
- v.** Closing of Public Hearing by Common Council

10. Response to Public Hearing questions by Vandewalle & Associates and City Staff

11. Discussion of Comprehensive Plan Amendments by Plan Commission and Common Council

12. Adjournment of the City Council

13. Plan Commission Discussion/Recommendation of **Resolution 23-PC01** a resolution recommending Amendments to the City of Lake Geneva Comprehensive Plan to the Common Council

14. Adjournment of the Plan Commission

Requests from persons with disabilities, who need assistance to participate in this meeting or hearing, should be made to the City Clerk's office in advance so the appropriate accommodations can be made.

City of Lake Geneva
2023 Annual Comprehensive Plan Amendment Process

Revised – 9.27.23

Activity	May	June	July	August	Sept.	Oct.	Nov.
City Announces the Opening of the Plan Amendment Process	May 16						
City Clerk Accepts Plan Amendment Applications	May 17 through June 30						
Plan Commission Recommends Adoption of the Public Participation Plan		June 19					
Common Council Adopts Public Participation Plan		June 26					
Plan Commission Reviews Plan Amendment Applications			July 17	Aug. 21	Sept. 18		
Plan Commission Recommends Setting Public Hearing and Amendment Approvals by Council					Sept. 18		
Council Sets Public Hearing date (applications frozen)					Sept. 18		
City Clerk Distributes Requested Plan Amendments to Surrounding and Overlapping Jurisdictions						Oct. 5	
Public Review Period (Newspaper published Thursday)						Oct. 5 – Nov. 12	
Joint Meeting: 1. Council Holds Public Hearing 2. Plan Commission Considers Resolution Recommending Plan Amendments							Nov. 13
Council Considers Ordinance to Adopt Plan Amendments							Nov. 20
City Clerk Distributes Amended Plan to Surrounding and Overlapping Jurisdictions							After Adoption

EXHIBIT A

STAFF REPORT Lake Geneva Plan Commission & Common Council Meeting Date: November 13, 2023

To: City of Lake Geneva

From: Jackie Mich, AICP, and Sonja Kruesel, AICP, City Planning Consultants

Date: November 8, 2023

Re: Requested 2023 Amendments to the Comprehensive Plan

Introduction

Every year, the City of Lake Geneva holds a Comprehensive Plan Amendment cycle to consider requests to amend the Comprehensive Plan. This year, the City has received two requests to amend the Plan.

Annual Review Cycle

The annual cycle allows for informal Plan Commission discussion of Comprehensive Plan Amendment proposals during the summer months, before starting the formal public hearing process in the fall. During the summer Plan Commission meetings, an agenda item is created to introduce the proposed amendments, allow Plan amendment advocates to explain their proposals to the Commission, and for the Commission to discuss the proposals with one another and with the advocates. Members of the public are also invited to weigh in on the proposals.

The public hearing to consider the proposed 2023 amendments will be held on Monday, November 13, following the minimum 30-day public review period required by state law. This year, the public hearing was held in November (rather than the usual October) to allow for more time to review both applications.

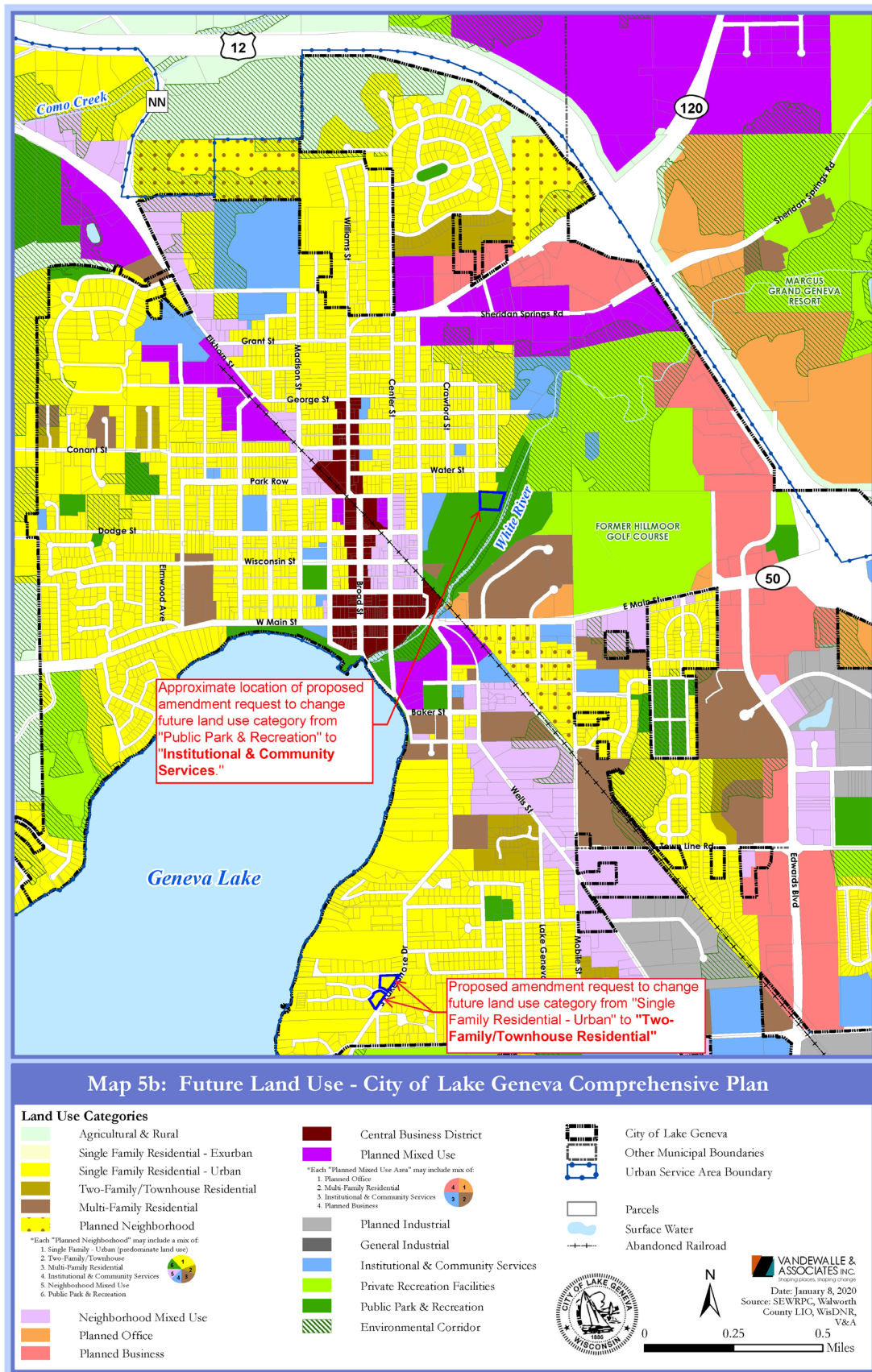
State law requires the Plan Commission to make a recommendation to the Common Council on each proposed amendment. The Plan Commission will consider a resolution to approve the proposed amendments at the November 13 meeting. At a subsequent Common Council meeting, the Common Council will consider an ordinance to adopt the amendments that were recommended by the Plan Commission. The Council may either adopt or reject the proposed amendment as recommended by the Plan Commission. If the Council desires to make substantive changes to a proposed amendment, it must first go back to the Plan Commission for recommendation.

No Proposed Text Amendments

There are no proposed text amendments to the Comprehensive Plan this year.

Proposed Map Amendments

There are two proposed amendments to the Comprehensive Plan's Future Land Use Map (Map 5a and 5b). The Future Land Use Map is the land use plan for the city. The Future Land Use Map is a very important policy document under Wisconsin law, in that all changes to the City Zoning Map must be consistent with the Future Land Use Map. A map depicting the proposed two proposed amendments to the Comprehensive Plan's Future Land Use Map is provided on the following page.



Proposed Amendments to the Future Land Use Map

The two proposed amendments to the Future Land Use Map are specified below:

Wisconsin Power & Light Company (WP&L)

Proposed Amendment

This request involves proposed changes to the Future Land Use Map for an area of city parkland. Specifically, Wisconsin Power & Light Company (WP&L) is requesting an amendment to the Future Land Use Map (Maps 5a and 5b) to change the recommended future land use category for a portion of Parcel ZOP00003 from “Public Park & Recreation” to “**Institutional & Community Services.**” This Comprehensive Plan Amendment has been requested because the applicant is seeking approval for a new electrical substation in this location.

The proposed change would affect only the northern 2.5 acres of the 11-acre parcel. The parcel is owned by the City of Lake Geneva. The remainder of the parcel would remain as “Public Park & Recreation.” The location of the 2.5-acre portion is generally located at the southern terminus Waverly Street, west of the East View Elementary School property.

As the area is recommended for “Public Parks and Open Space” in the Comprehensive Plan, a Plan Amendment would be necessary in order for the City to consider a future rezoning to enable the substation to be developed.

Implications of the Proposed Amendment

The applicant is requesting the “Institutional and Community Services” future land use category, which is the appropriate future land use category for electrical substations. The description of that future land use category is provided below.

The property will need to be rezoned to allow for the substation’s development, because the proposed substation and lot cannot meet certain requirements under the current zoning designation (Rural Holding). Additionally, a Park Overlay Zoning District is in place on the property, which prohibits all non-park uses. The Planned Office zoning district or Light Industrial zoning district will likely be the most suitable zoning district for the substation due to lot size and setback requirements.

Electrical substations are considered a “Public Services and Utilities” land use, which is permitted by right. Through the site plan review process, the City will ensure the zoning regulations are met, which include requirements for landscaping and screening of the substation to minimize impacts to surrounding properties.

The Comprehensive Plan Amendment is one of several review and approval steps needed to construct the substation. If the Comprehensive Plan Amendment is approved, future steps would involve:

1. Creation of a new lot
2. Sale of the new lot by the City to WP&L
3. Rezoning of the new lot and removing its Park Overlay Zoning District designation
4. Site plan review and approval.

Analysis

The proposed amendment supports the City's goal of maintaining adequate electrical capacity in the future. Electricity is an essential service provided to Lake Geneva residents and businesses. A goal on page 129 of the Comprehensive Plan is to "Maintain the City's high quality of life through access to a wide range of sustainable public services and facilities." An objective on page 129 the Plan is to "Ensure that the City's utility system has adequate capacity to accommodate projected future growth; avoid overbuilding that would require present residents to carry the costs of unutilized capacity." Efforts will be taken to minimize impacts. The proposed substation will be located outside the environmental corridor area and would be heavily screened by landscaping and fencing. In addition, relocating the substation to the proposed location creates the potential to make the current substation location near City Hall available for other uses.

This is a challenging location for a new substation because the property is City-owned parkland which comes with many limitations. For this reason, there are many procedural steps to go through, as described earlier in this report. Utilizing this location for a new substation will consume limited city parkland. Even with extensive screening, there will still be some visual impact on surrounding properties due to the height of the substation's equipment, primarily affecting residential development to the north, East View Elementary School to the west, and parklands to the east.

If a more suitable location is viable, that location should be explored. I note that many other sites in the City may face similar challenges for siting a new substation, due to proximity to residential development, open space, or other sensitive areas. Additionally, WP&L has technical criteria for locating its facilities that also would need to be considered. When considering WP&L's siting criteria together with the goal of limiting impacts on residential development or open space, it may be hard to find another site. The Common Council weighed in on this issue earlier this year and voted to move forward with the location proposed by WP&L. In the absence of another viable location for the substation, I believe the City should continue to evaluate the proposed location.

Staff Recommendation

Staff recommends that the Plan Commission adopt a resolution recommending that the Common Council approve the proposed Comprehensive Plan Amendment requested by WP&L.

Suggested Motions:

- Recommend: I recommend approval of the resolution to approve the proposed Comprehensive Plan Amendment to change the recommended future land use category for a portion of Parcel ZOP00003 from "Public Park & Recreation" to "Institutional & Community Services."
- Recommend with Changes: I recommend approval of the resolution to approve the proposed Comprehensive Plan Amendment with the following changes...
- Deny: I recommend denial of the resolution to approve the proposed Comprehensive Plan Amendment to change the recommended future land use category for a portion of Parcel ZOP00003 from "Public Park & Recreation" to "Institutional & Community Services."

Excerpt from Comprehensive Plan, pages 92-93

Institutional and Community Services

Description

This future land use category is designed to facilitate large-scale public buildings, schools, religious institutions, power plants and substations, hospitals, and special care facilities. Map 7 generally shows existing locations of such facilities. Future small-scale institutional uses may also be located in areas planned for residential, commercial, office, industrial, mixed, or traditional neighborhood uses, while larger-scale institutional uses should generally be avoided in planned residential or Planned Neighborhood areas.

Recommended Zoning

Most of the City's zoning districts are generally appropriate for areas mapped within this future land use category. In general, the zoning district should reflect the predominant zoning of nearby properties and/or the desired character of the subject property.

Policies and Programs

- 1. Require and review a detailed site and operations plan before new or expanded institutional uses are approved.*
- 2. Consider the impact on neighboring properties before approving any new or expanded institutional use.*
- 3. Continue to work with the Lake Geneva School District to coordinate uses and activities on district owned land.*
- 4. Encourage collaboration among the Public Works, Fire, and Police Department, and other providers of City services, on accommodating future service needs, as described in greater detail in Chapter Seven: Utilities and Community Facilities*

Lakeside Living, LLC

Proposed Amendment

This request involves proposed changes to the Future Land Use Map for an area located at 1120 S. Lakeshore Drive. Specifically, Lakeside Living LLC is requesting an amendment to the Future Land Use Map (Maps 5a and 5b) to change the recommended future land use category for tax parcels ZCNS00001 through ZCNS 00004 and ZCNS 00028 through ZCNS 00031 from “Single Family Urban” to “**Two-Family/Townhouse Residential**.” This Comprehensive Plan Amendment has been requested because the applicant is seeking approval of appropriate zoning to allow for development of four duplex structures (8 total units) within the Somerset Condominium.

The proposed change would affect only the portions of the Somerset Condominium Plat referred to as Units 1-4 and Units 28-31. The remainder of the Somerset Condominium would remain as “Single Family Urban.”

Implications of the Proposed Amendment

As the area is recommended for “Single Family Urban” in the Comprehensive Plan, a Plan Amendment would be necessary in order for the City to consider a future rezoning to enable the proposed duplex project to be developed. The applicant is requesting the “Two Family / Townhome Residential” future land use category, which is appropriate future land use category for this purpose. The description of that future land use category is provided below.

If the Comprehensive Plan Amendment is approved, future review and approval steps would involve rezoning and site plan review and approval.

Lakeside Living, LLC’s Development Request Background

The City Zoning Map shows the above referenced property as PD (Planned Development) zoning. The recorded Condominium Declarations indicate that the referenced property was planned for “multi-family development.” Lakeside Living, LLC asserts that the property was acquired with the expectation that multi-family development was possible due to the Condominium documents and the Zoning Map designation as Planned Development. Approval of the Condominium Plat dates back to the 1970s and presents a challenging situation due to the amount of time that has passed since development was originally planned for this area. Planned Development zoning has been shown on the map in this area since the mid-1990s.

The City’s Planned Development ordinance details that if all portions of an approved Planned Development General Development Plan (GDP) are not developed within five years, then the Planned Development zoning designation is determined to be expired and is no longer valid. In this case, portions of the Somerset Condominium remain undeveloped for at least five years after the original approval of the Planned Development and after the designation on the Zoning Map as Planned Development. The Planned Development in this area has therefore expired. The ordinance then outlines procedures for assigning a standard zoning district that best matches the formerly approved GDP and/or which matches the Comprehensive Plan.

All zoning decisions must be consistent with the Comprehensive Plan. Under the existing “Single Family Urban” land use designation, only single family zoning is possible. Therefore, the applicant is requesting

to change the future land use map to “Two Family/Townhouse Residential” to enable use of the two-family zoning district (TR-6) and to reflect the expected development shown within the Condominium Declaration and Condominium Plat.

Analysis

This is a unique situation, as it involves a Condominium Plat that is over 40 years old. Consequently, there is now a mismatch between the Condominium Plat and Comprehensive Plan. Despite this mismatch, it is important to note that the property is zoned and planned for development (not open space).

When preparing the 2020 Comprehensive Plan Update, City staff was not aware of prior development plans or approvals for multi-family on the site. Thus, the Comprehensive Plan Update carried forward the recommendation for “Single Family Residential” for the property, as had been done in the previous Comprehensive Plan.

Approving the Comprehensive Plan Amendment would reflect the expected development shown within the Condominium Declaration and Condominium Plat. From a land use perspective, a request for Two-Family Residential is reasonable. Two-family development is generally compatible with single family development and is commonly used as a transition use between single family and other land uses. In this situation, the subject property is located on Lake Shore Drive, providing a transitional use between a heavily trafficked corridor and the single family development to the west. The proposed duplex development is not an excessively dense or overdeveloped project, consistent with the density requirements of the TR-6 zoning district. The proposed duplexes are also a lower-intensity housing format than the multi-family development described in the Condominium Plat. Approving the Comprehensive Plan Amendment would implement the Comprehensive Plan objective to “Promote residential infill in currently developed areas of the City,” (page 143) as well as the goal to “Prioritize development of planned/approved dwelling units before additional future residential areas and pursue residential infill opportunities where feasible” (page 144).

Denying the Comprehensive Plan Amendment would reflect the fact that the City’s desires have changed since the Condominium Declarations and Plat were approved in the 1970s. The area is now an established single family neighborhood, which was not the case when the Condominium Declarations and Plat were prepared. Denying the Comprehensive Plan Amendment would indicate that the City wishes to see Single Family Residential development occur in this location, consistent with the Comprehensive Plan’s Future Land Use Map.

Staff supports approval of the proposed Comprehensive Plan Amendment, considering that the proposed duplexes are minimally more dense than single family and that they provide a good transitional land use along a busy corridor.

Staff Recommendation

Staff recommends that the Plan Commission adopt a resolution recommending that the Common Council approve the proposed Comprehensive Plan Amendment requested by Lakeside Living, LLC.

Suggested Motions:

- Recommend: I recommend approval of the resolution to approve the proposed Comprehensive Plan Amendment to change the recommended future land use category for tax parcels ZCNS00001

through ZCNS 00004 and ZCNS 00028 through ZCNS 00031 from “Single Family Urban” to “Two-Family/Townhouse Residential.”

- Recommend with Changes: I recommend approval of the resolution to approve the proposed Comprehensive Plan Amendment with the following changes...
 - Deny: I recommend denial of the resolution to approve the proposed Comprehensive Plan Amendment to change the recommended future land use category for tax parcels ZCNS00001 through ZCNS 00004 and ZCNS 00028 through ZCNS 00031 from “Single Family Urban” to “Two-Family/Townhouse Residential.”
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Excerpt from Comprehensive Plan, pages 84

Two Family /Townhouse Residential

Description

This designation is primarily intended to allow groupings of attached single family residences with individual entries (e.g., townhouses, rowhouses, condominiums) and duplexes that are or will be served by public sanitary sewer and water systems. Small public and institutional uses—such as parks, schools, churches, and stormwater facilities—may also be built within this designation. Future two-family development is also planned for existing platted infill lots, including all or portions of new neighborhoods. These areas are particularly appropriate for owner-occupied projects given the surrounding uses.

Recommended Zoning

The City’s TR-6 two family zoning district, along with Planned Development zoning, are the most appropriate districts to implement this future land use category.

Policies and Programs

- 1. Minimize the potential for incompatible land uses (e.g., high traffic generators, noisy users, etc.) within or next to Two-Family/Townhouse areas. Where such uses do occur in close proximity, the City should encourage the use of landscape buffers to mitigate the impacts such land uses could have on residential neighborhoods.*
 - 2. Continue to enforce property maintenance codes to maintain the quality of the City’s existing residential neighborhoods.*
 - 3. Continue to thoughtfully locate community facilities such as roads, paths, parks, sidewalks, schools, and churches in order to provide convenient access to residential areas.*
 - 4. Plan for interconnected road and open space networks in new residential areas and between individual subdivisions.*
 - 5. Refer to Chapter Eight: Housing and Neighborhood Development for detailed housing recommendations.*
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RESOLUTION 23-PC01

**RESOLUTION RECOMMENDING AMENDMENTS TO THE
CITY OF LAKE GENEVA COMPREHENSIVE PLAN,**

PLAN COMMISSION OF THE CITY OF LAKE GENEVA, WISCONSIN

WHEREAS, the City of Lake Geneva on March 9, 2020 adopted the City of Lake Geneva Comprehensive Plan, (hereinafter “Plan”) as the City’s comprehensive plan under Section 66.1001(4), Wisconsin Statutes, with said Plan including procedures for consideration of amendments to it; and

WHEREAS, Section 66.1001(4), Wisconsin Statutes, establishes the required procedure for a local government to amend a comprehensive plan once it has been initially adopted; and

WHEREAS, the City of Lake Geneva Plan Commission has the authority and responsibility to recommend amendments to the Plan to the City Council, under Section 66.1001(4)(b); and

WHEREAS, on November 13th, 2023, the Plan Commission reviewed proposed amendments to the Comprehensive Plan’s Future Land Use Map (Map 5a and 5b) which are described in the document provided by Vandewalle & Associates dated November 8, 2023, copies of which are attached hereto and incorporated by reference herein as Exhibit A; and,

NOW, THEREFORE, BE IT RESOLVED that the Plan Commission of the City of Lake Geneva hereby recommends that, following a public hearing, the City Council adopt an ordinance to constitute official City approval of the proposed amendments to the City of Lake Geneva Comprehensive Plan that the Plan Commission recommended for approval at its November 13th, 2023, Plan Commission Meeting.

This Resolution was adopted at a joint meeting of the Plan Commission of the City of Lake Geneva on the 13th day of November, 2023.

PLAN COMMISSION

By: _____
Charlene Klein, Mayor and Plan
Commission Chair

ATTEST:

Lana Kropf, City Clerk