

TO: Planning Commission

FROM: Jerry Bohnsack

Meeting of August 8, 2023

**Petition to Rezone**

Applicant: Whitebirch, Inc.

Legal Desc: OUTLOT A, LOT 1, LOT 2, and LOT 3, BLOCK ONE, WHITEBIRCH VISTA, according to the record plat thereof, Crow Wing County, Minnesota. AND

That part of OUTLOT E, WHITEBIRCH SEVEN, according to the record plat thereof, Crow Wing County, Minnesota described as follows; Commencing at the Southwest corner of Block 3, said plat; Thence North 21 degrees 42 minutes 41 seconds West, assumed bearing along the westerly line of said Block 3, a distance of 1355.00 feet to an angle point thereon; thence North 44 degrees 18 minutes 38 seconds East 121.41 feet to the Southwesterly Right of Way line of County State Aid Highway Number 11 as platted; thence North 45 degrees 41 minutes 22 seconds West along said Right of Way line 350.00 feet to the Point of Beginning of the tract to be herein described; thence South 44 degrees 18 minutes 38 seconds West 150.41 feet; thence North 45 degrees 41 minutes 22 seconds West 150.55 feet to the easterly line of Whitebirch Vista, according to the record plat thereof said County; thence northeasterly along said easterly line 150.41 feet to said westerly Right of Way line; thence South 45 degrees 41 minutes 22 seconds East 150.55 feet to the Point of Beginning.

Property ID: 10170743, 10170744, 10170745, 10170776, 10170777

Current Zoning: R-1 & RC

Applicable Code: §153.031, §153.034, §153.044, §153.045

**Request**

Whitebirch, Inc. owner of Whitebirch Vista and Outlot E Whitebirch Seven has submitted petition to rezone property currently Zoned R-1 & RC to R-4.

If the petition is approved the owners intend to pursue a Planned Unit Development to construct 4 Duplex TWM Townhomes similar to the Whitebirch Village.

The property access to Whitebirch Vista (a 3 lot subdivision) is from Chickasaw Circle. The property adjacent to County Road 11 on the north, Whitebirch Golf Course on the East and South and Single Family dwelling/lots on the west. The proposed rezoning incorporates a portion of Whitebirch Golf Course (18 holes) with Whitebirch Vista and the Whitebirch Estates CIC. (Existing R-4 development)

**Zoning**

R-1 Allowed. Single family dwelling

R-4 Allowed with CUP. Residential duplex. Residential PUD. Single and two family.

Owner is currently exploring extension of municipal sanitary sewer to the Chickasaw Circle cul-de-sac. Sewer extension would be necessary component of PUD.

Prior to acting on a Rezoning recommendation the commission will need to find that the proposed development is consistent with the residential uses in the area.

Options:

- 1) Deny Rezoning request because the proposed use is not consistent with the residential use in the area.
- 2) Recommend approval of the request because it is an extension of the R-4 Zone to the East and is consistent with the area residential uses.