

## MEMORANDUM

### **Business Item B**

From: Administrator/Staff

To: Plan Commission

Re: Plan Commission review & recommendation on a Concept Plan Review Application submitted by Steve Bieda of Vierbicher for a proposed mixed-use residential and commercial development; Tax ID #s 006-0352-01 (Fairview Rd), 006-0355, & 006-0354 (State Rd 76).

Please see the below comments from Code Administrator Kussow:

### **Property Information Specific to Tax ID #'s 006-0352-01, 006-0352, 006-0355, & 006-0354:**

1. Specific Site Location: The subject site is 108 acres +/- located near the Fairview Rd/State Rd 76 intersection with frontage on both Fairview Rd and State Rd 76.
2. Parcel Profile Reports for each parcel are enclosed with this memo for your reference. Additional applicable property information not included in the Parcel Profile Report is described below:
  - a. The subject property is located in the Town's General Agriculture (A-2) and Personal Storage Facility (PSF) Overlay Districts.
  - b. There are no shoreland or floodplain concerns, and the subject property is not subject to County zoning.
  - c. There is a mapped wetland in the southeast corner of the subject property, more specifically in the southeast corner of PIN 006-0355, per the County Hydrologic Viewer. There are wetland indicators/soils on all of the subject parcels per the DNR Surface Water Data Viewer.
  - d. The western portion of PIN 006-0354 (adjacent to State Rd 76) and a small portion of PIN 006-0352 (adjacent to Fairview Rd) are located in the Outagamie County Airport Overlay District Zone 3, and the entire subject property is located in the 1,009 ft. Airport Height Limitation Zone.
  - e. All of the subject property is located in the Fox West Sewer Service Area and Town of Clayton Sanitary District.
  - f. The Future Land Use Map of the Town Comprehensive Plan identifies the following future land uses and features on the subject property:
    - i. The subject property is located in the Tier 1 Development Area
    - ii. Tax ID #006-0352-01 = "Medium and High Density Residential" future land use.
    - iii. Tax ID #006-0352 = "Medium and High-Intensity Residential", "Neighborhood Center Mixed Use", and "Parks and Recreation" future land uses.
    - iv. Tax ID #006-0355 = "Neighborhood Center Mixed Use" and "Parks and Recreation" future land uses.
    - v. Tax ID #006-0354 = "Gateway Commercial & Retail" and "Medium and High-Intensity Residential" future land uses.
    - vi. "Future Roads" to Fairview Rd. and State Rd 76 are mapped throughout the subject property.

- g. The Park and Trail Plan Map of the Town Comprehensive Plan identifies “Future Town Parks or Greenspace” in Tax ID #006-0352 and Tax ID# 006-0355, and a “Future Off-Road Trail” and “Future On-Road Trails” throughout the subject property.
  - h. The proposed commercial and residential (multi-family, condominium, and single-family) development is not allowed in the subject property’s General Agriculture (A-2) District. Therefore, rezoning of the subject property will be required in order for the proposed development to be allowed. Amendment(s) to the Town Comprehensive Plan/Future Land Use Map may be required, depending on final proposal.
3. Zoning of Surrounding Properties:
- a. North: R-1 (Rural Residential District) & A-2 (General Agriculture District)
  - b. South: B-3 (General Business District), I-1 (Light Industrial District) & R-1 (Rural Residential District)
  - c. East: A-2 (General Agriculture District)
  - d. West: A-2 (General Agriculture District)

**Application Details:**

The applicant has proposed a mixed-use residential and commercial development on the subject property consisting of:

- Multi-family residential(apartments) on approximately 83 acres +/- (864 units)
- Townhouses on approximately 4 acres +/- (20 units)
- Commercial development adjacent to State Rd 76 on approximately 10 acres +/-

Access to the development is proposed via two (2) new roads to Fairview Rd, one (1) new road to State Rd 76, and one (1) road stub to lands to the east.

**Park/Playground/Open Space Dedication Requirements:**

The Town Subdivision Ordinance requires one of the following options in regard to the dedication of park, playground, and recreational open space area(s):

1. Land dedication: The subdivider shall dedicate the following percentages of the parcel(s) to be divided/subdivided for park, playground and recreational open space:
  - a. Single-family zoning = 6% of the parcel to be divided/subdivided
  - b. Two-family zoning = 8% of the parcel to be divided/subdivided
  - c. Multiple family zoning = 12% of the parcel to be divided/subdivided
  - d. Planned Unit Developments = 12% of the parcel to be divided/subdivided
2. Fee in lieu of land dedication: In the event the Town Board deems a dedication is unsuitable, inadequate or inappropriate, a \$500 fee in lieu of dedication for each new dwelling unit shall be paid prior to issuance of a building permit.

**Staff Comments, Basis of Decision, and Staff Recommendation, & Suggested Conditions:**

**Specific items/issues recommended to be reviewed by Plan Commission and Town Board:**

1. Layout and configuration of the proposed uses: Commission should review overall development layout and configuration of proposed uses.
2. Street Layout & Design: Commission should review overall street layout and design. Staff recommends that all streets be required to be constructed to “urbanized” road standards with curb, gutter, and sidewalks.

3. Park/Playground/Open Space Dedication Requirements: No public recreational land is identified on the concept plan. The Town Comprehensive Plan's Future Land Use Map and Parks & Trails Plan Map identify future town parks within the development. Commission should review and consider requiring sidewalks, on-road trails, and/or off-road trails throughout the development. It should also be noted that a portion of the Phase 2 & 3 development area has been designated as a viewshed greenspace corridor within the Comprehensive Plan. This designation is designed to preserve a continuous, undisturbed view from STH 76, east to the Valley and Niagara Escarpment beyond. The Commission should also review and consider public park requirements for this development. Staff does not recommend permitting this development without public park, greenspace and/or sidewalks/trails.
4. Wetland Delineation: A wetland delineation of the entire property shall be required.
5. Outagamie County Airport Zoning Overlay: Outreach to the Outagamie should occur to coordinate and determine any design requirements in those portions impacted by the concept plan.

**Plan Commission/Town Board Direction:**

No formal recommendation or decision is needed for this application. The purpose of this application is for the Plan Commission and Town Board to preliminarily review a development, identify concerns/issues, and provide direction or recommendations to the applicant.

At a minimum, Staff recommends that the Plan Commission and Town Board review the specific items/issues listed above and provide direction/recommendations to the applicant. Continued concept plan review at a future Plan Commission meeting may be advised.

Respectfully Submitted,  
Kelsey