

MEMORANDUM

Public Hearing A & Business Item A

From: Administrator/Staff

To: Plan Commission

Re: Plan Commission Public Hearing and Review/Recommendation on a Re-zoning Application submitted by Doug Woelz of McMahon Associates on behalf of Clayton Development Group, LLC, to re-zone Tax ID #006-0617 (2689 County Rd II), Tax ID #006-0618, and Tax ID #006-0632. The application is to re-zone: Tax ID #006-0617 (2689 County Rd II) from the A-2 (General Agriculture) District to the B-2 (Community Business) District, R-4 (Multifamily Residential) District, and R-3 (Two-Family Residential) District; Tax ID #006-0618 from the A-2 District to R-3 District and R-2 (Suburban Residential) District; and Tax ID #006-0632 from the A-2 District to the R-2 District.

Please find the comments from Code Administrator Kussow below:

Property Information Specific to Tax ID #'s 006-0617, 006-0618, & 006-0632:

1. Specific Site Location: The subject site is located on the property addressed 2689 County Rd II and the two parcels adjacent to the south. The subject site is adjacent to the south of the County Rd II/Martin Dr intersection and adjacent to the northeast of the Westridge Golf Course.
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 currently located in the Town's General Agriculture (A-2) District.
 - b. A small area in the northeast corner of Tax ID #006-0617, adjacent to County Rd II, is located in the County's Shoreland Zoning and General Agriculture (A-2) District. This is due to a navigable stream located on the north side of County Rd II.
 - c. There are two (2) "non-navigable" intermittent streams/drainage ways running through the subject property as identified on the preliminary plat:
 - d. A wetland delineation of the subject property was completed in October 2022 which identified five (5) small wetlands:
 - i. Four (4) small wetlands are within/near the northerly intermittent stream/drainage way on Tax ID #006-0617, within Lots 2 and 3, and Outlot 1 of the preliminary plat; and
 - ii. One (1) small wetland is in the southwest corner of Tax ID #006-0618, within Lots 45, 46, and 47 of the preliminary plat.
 - e. No portion of the subject property is located in a floodplain.
 - f. No portion of the subject property is located in Outagamie County Airport Zoning or an Airport Height Limitation Zone.
 - g. All of the subject property is located in the Fox West Sewer Service Area.
 - i. Tax ID # 006-0617 and Tax ID # 006-0618 are located in the Town of Clayton Sanitary District #1.
 - ii. Tax ID # 006-0632 is not located in a sanitary district.
 - h. The adopted "Highways 10 & 76 Corridor Land Use Master Plan" identifies the following proposed land use districts and features on the subject property:
 - i. Tax ID #006-0617 = "Gateway Commercial & Retail" adjacent to County Rd II and "Medium and High Intensity Residential" throughout the remainder of the parcel.
 - ii. Tax ID #006-0618 = "Medium and High Intensity Residential"
 - iii. Tax ID #006-0632 = "Recreation and Conservation" in the eastern 1/3 and "Single & Two Family Residential" throughout the remainder of the parcel

- iv. Future roads are identified throughout the subject property, along parcel lines.
- v. A future on-road trail is identified along County Rd II, north of the subject property.
- vi. A future off-road trail is identified along the southerly intermittent stream/drainage way on Tax ID #006-0618 and along the west parcel line of Tax ID #006-0632.

This Master Plan was adopted as part of the Town Comprehensive Plan and serves as a more detailed future land use map for the Highways 10 and 76 corridor. This Master Plan Map is a supplement to and supersedes the Future Land Use Plan Map classifications.

- i. The PRELIMINARY/DRAFT Future Land Use Map of the updated 2023 Comprehensive Plan identifies the following future land use categories/designations on the subject property:
 - i. Tax ID #006-0617 = “Business” adjacent to County Rd II, “Neighborhood Center Mixed Use” near County Rd II and adjacent to the east parcel line, and “Medium and High Intensity Residential” throughout the remainder of the parcel.
 - ii. Tax ID #006-0618 = “Medium and High Intensity Residential” in the western 2/3, “Neighborhood Mixed Center” in the northeast corner, and “Recreation and Conservation” in the southeast corner of the parcel.
 - iii. Tax ID #006-0632 = “Residential – Single and Duplex”
 This preliminary/draft Future Land Use Map has not yet been adopted by the Town.
- j. The proposed commercial and residential (multi-family, two-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 is required in order for the proposed development to be allowed.

3. Zoning of Surrounding Properties:

- a. North: R-1 (Rural Residential District) & I-1 (Light Industrial District)
- b. South: A-2 (General Agriculture District)
- c. East: A-2 (General Agriculture District)
- d. West: R-1 (Rural Residential District), A-2 (General Agriculture District), B-2 (Community Business District), & R-2 (Suburban Residential District)

Application Details:

Doug Woelz of McMahon Associates on behalf of Clayton Development Group, LLC, requests rezoning approval to re-zone:

- Tax ID #006-0617 (2689 County Rd II) from the A-2 (General Agriculture) District to the B-2 (Community Business) District, R-4 (Multifamily Residential) District, and R-3 (Two-Family Residential) District;
- Tax ID #006-0618 from the A-2 District to R-3 District and R-2 (Suburban Residential) District; and
- Tax ID #006-0632 from the A-2 District to the R-2 District.

Included with the application are a “Re-zoning Map” and “Rezoning Exhibits” identifying the areas to be re-zoned for each respective proposed zoning district.

The purpose of the requested re-zoning is to accommodate the proposed Scholar Ridge Estates subdivision plat, dividing the subject parcels into 158 Lots and 4 Outlots intended for a combination of commercial/business, multi-family residential, two-family residential, and single-family residential uses, described in more detail below

- Commercial/business uses are proposed on Lots 1 through 3, adjacent to County Rd II. These lots and Outlot 1 are proposed to be re-zoned to the Community Business (B-2) District.
- Multi-family residential use is proposed on Lots 4 and 5. These lots are proposed to be re-zoned to the Multifamily Residential (R-4) District.
- Two-family and single-family residential uses are proposed on Lots 6 through 17, Lots 27 through 30, and Lots 35 through 37. These lots and Outlot 2 are proposed to be re-zoned to the Two-Family Residential (R-3) District.
- Single-family residential uses are proposed on Lots 18 through 26, Lot 31 through 34, and Lots 38 through 158. These lots and Outlots 3 and 4 are proposed to be re-zoned to the Suburban Residential (R-2) District.
- All Outlots (Outlots 1 through 4) are proposed for stormwater management ponds and are proposed to be dedicated to the Town.

All proposed lots comply with the minimum lot dimensional requirements for each respective zoning district in which the lots are proposed to be re-zoned.

Included with this memo is a copy of Exhibit 8-1, Land Use Matrix, identifying the land uses allowed (Permitted or Conditional) in the proposed zoning districts.

Preliminary Plat Review:

The Scholar Ridge Estates Preliminary Plat was reviewed at the May 10th Plan Commission meeting, at which the Plan Commission recommended conditional approval of the proposed plat. The Preliminary Plat was reviewed & approved at the May 17th Town Board meeting.

Road Access:

Access to the subdivision is proposed via one (1) new road connecting to County Rd II, directly across from the existing Martin Dr north of County Rd II. An internal road network is proposed with:

- Three (3) road stubs for future road access to property adjacent to the east;
- Two (2) road stubs for future road access to property adjacent to the south; and
- One (1) road stub for future road access to the property adjacent to the west.

Wetlands:

As described earlier in this memo, a wetland delineation of the subject property was completed in October 2022 which identified five (5) small wetlands. One (1) small wetland is within Lots 45, 46, and 47 is proposed to be filled, which will require approval from the WisDNR.

Comprehensive Plan Considerations:

The adopted “Highways 10 & 76 Corridor Land Use Master Plan” identifies the following proposed land use districts and features on the subject property:

- Tax ID #006-0617 = “Gateway Commercial & Retail” adjacent to County Rd II and “Medium and High Intensity Residential” throughout the remainder of the parcel.
- Tax ID #006-0618 = “Medium and High Intensity Residential”.
- Tax ID #006-0632 = “Recreation and Conservation” in the eastern 1/3 and “Single & Two Family Residential” throughout the remainder of the parcel.
- Future roads are identified throughout the subject property, along parcel lines.
- A future on-road trail is identified along County Rd II, north of the subject property.
- A future off-road trail is identified along the southerly intermittent stream/drainage way on Tax ID #006-0618 and along the west parcel line of Tax ID #006-0632.

This Master Plan was adopted as part of the Town Comprehensive Plan and serves as a more detailed future land use map for the Highways 10 and 76 corridor. This Master Plan Map is a supplement to and supersedes the Future Land Use Plan Map classifications.

It is Staff’s opinion that the proposed re-zoning is generally consistent with the adopted “Highways 10 & 76 Corridor Land Use Master Plan” and Town Comprehensive Plan.

Staff Comments, Basis of Decision, and Staff Recommendation:

Staff Comments:

It is Staff’s opinion that the proposed re-zoning is generally consistent with the adopted “Highways 10 & 76 Corridor Land Use Master Plan” and Town Comprehensive Plan, and the proposed re-zoning may be approved as proposed.

Basis of Decision:

The Plan Commission, in making its recommendation, and the Town Board, in making its decision, shall consider the following factors:

1. whether the amendment is consistent with the Town’s Comprehensive Plan, including any future land use maps or similar maps;

2. the extent to which the lot and structures on the subject property conform to the dimensional standards that apply to the proposed zoning district; and
3. any other factor not specifically or generally listed, but deemed appropriate by the Plan Commission or Town Board of Supervisors given the particular circumstances.

Staff Recommendation:

Staff recommends approval of the Re-Zoning Application to re-zone Tax ID #006-0617 (2689 County Rd II), Tax ID #006-0618, and Tax ID #006-0632, as requested.

Suggested Motion:

Motion to recommend approval of the re-zoning application submitted on behalf of Clayton Development Group, LLC with all Staff recommendations & conditions.

Respectfully Submitted,
Kelsey