

MEMORANDUM

Business Item J

From: Administrator/Staff
To: Plan Commission
Re: Plan Commission review & discussion on a Concept Plan Review Application submitted by Troy Ribble for a proposed land division reconfiguring a portion of Tax ID #006-0006-02-02 (9670 Lind Ln); Tax ID #006-0006-09 (9618 Lind Ln); and all of Tax ID #006-00006-10-02 into five lots.

Please find the below comments from Code Administrator Greenberg:

Property Information:

1. Specific Site Location: The subject lands to be divided/reconfigured are located on Lind Lane near Braun Ct. (the parcel addresses involved are 9618 Lind Lane, 9670 Lind Lane and one lot is unaddressed).
2. Additional applicable property information not included in the Parcel Profile Report is described below:
 - a. The subject lands are located in the Town's General Agriculture (A-2) Zoning District and Personal Storage Overlay District.
 - b. Portions of Lots 2-5 are located in Outagamie County's Airport Overlay District Zone 3 (AOD3) Airport Zoning District and all lots are subject to Outagamie County's 1,009 ft. (above mean sea level) Airport Height Limitation Zone.
 - c. The subject parcels are located within the Fox West Sewer Service Area and TID #1 but are not currently served by sewer.
 - d. The subject parcels are in Tier 1 of the Towns Land Use plan and in both the Gateway Commercial & Retail (along the state highway) and Residential – Single and Duplex categories.
 - e. Lot 1 is being used for residential purposes, Lot 2 appears to be in residential and agricultural use and the large vacant lot is in agricultural and/or open space use.
 - f. The WDNR Surface Water Data Viewer identifies a small, isolated wetland near the southern lot line of proposed Lots 5 noted as "too small to be delineated".
3. Zoning of Surrounding Properties:
 - a. North: A-2 (General Agriculture District) & PSF (Personal Storage Facility Overlay District)
 - b. South: B-1 (Local Service Business District) & PSF (Personal Storage Facility Overlay District)
 - c. Northeast: I-2 (Heavy Industrial District)
 - d. East (across Hwy 76): A-2 (General Agriculture District)
 - e. West: A-2 (General Agriculture District) & R-1 (Rural Residential District)

Application Details:

The subject CSM involves three existing lots of record, all under separate ownership. The southern lot is proposed to be divided into three lots and the northern and middle lots would be reconfigured, with the northern lot (Lot 1) getting bigger and the middle lot (Lot 2) getting smaller.

Per the application, they are seeking A-2 zoning on Lots 1,2,4 and 5, which according to Town's records is the current zoning. In 2020 landowner of the large, vacant acre parcel did divide and rezone the 3-acre parcel to the south from A-2 to B-1.

The application also notes that they would like to seek a rezone of the lands within Lot 3 to accommodate a commercial roofing contractor with an existing facility located on Tax ID #006-0006-09, to construct a new main facility which would include a sheet metal shop and training center.

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

Land Division:

- The concept as presented shows the creation of 3 lots and land transfer between the existing Lots 1 & 2 Per WI s. 236 and the Town's Subdivision Ordinance, a CSM can be utilized to create up to 4 lots.

Land Use Plan and Zoning:

- The Gateway Commercial & Retail plan category/district is intended to accommodate typical highway interchange types of uses (fast food, gas stations, restaurants, grocery stores, banks, and other retail and service-oriented businesses aimed at travelers and local residents. The plan envisions uses typically accommodated by B-2 or B-3 zoning.
- The Residential – Single and Duplex plan category is intended to accommodate single-family and duplex housing units connected to public services. This category is intended to accommodate higher density housing. The plan envisions R-2, R-3 or R-8 zoning to accommodate more urban/suburban types of housing density and housing options.

Lot Size Requirements:

The minimum unsewered lot requirements for the subject property's A-2 General Agricultural District are as follows:

- Minimum lot size: 5 acres
- Minimum lot width: 200 ft.
- Minimum road frontage: 200 ft.

As proposed, Lot 5 does not meet the minimum width or road frontage requirements.

As proposed the narrow, irregular shape of Lot 5 does not comply with Sec. 7.10.19(3) of the Town Subdivision Ordinance which requires the following:

- Lots should be designed with a suitable proportion between width and depth. Neither long narrow, nor wide shallow lots are normally desirable. Normal depth should not exceed 2.5 times the width nor be less than 150 feet.
- Lot 1 does not meet the 5-acre lot size requirement, but it is currently non-conforming with stated area of 1.57 acres.

Access:

- Access is proposed from Lind Lane, Lots 1 and 2 have existing access to Lind Lane, which is a Class 2 road. Per the Town's Access Control Ordinance, the horizontal distance between access points on a Class 2 Controlled Access Town Road shall be a minimum of 600 feet.

Stormwater:

Stormwater management and a Winnebago County Stormwater Permit may be required for the land division due to the number of lots proposed. Stormwater management plans or information were not provided.

DISCUSSION ITEM ONLY – NO ACTION TO BE TAKEN

Respectfully Submitted,
Kelsey