

MEMORANDUM

Business Item C

From: Administrator/Staff

To: Plan Commission

Re: Plan Commission review & recommendation on a Preliminary Plat Review Application submitted by Vierbicher for the division of Tax ID #006-0347-01; Tax ID #006-0344; Tax ID #006-0345; and Tax ID #006-0339-06 into 46 lots and 2 outlots intended for a combination of single-family residential & multi-family residential use.

Please see the comments below from Code Administrator Kamke:

The subject site is located south of the USH 10 right-of-way, and is parcels 006034701, 0060344, 0060345, and 006033906. Current zoning of the lands include are I-1 Industrial. A rezone request was heard prior to this item on the agenda, proposing rezone to R-2 Single Family district and R-4 Multifamily district. The site is within the Town of Clayton TID #1, Clayton Sanitary District #1. Being a proposed new plat for residential, development in this area would count towards the maximums allowed for new residential within the TID #1 boundary.

The Town of Clayton has a Subdivision Ordinance that governs the review of land divisions and plats. Within this ordinance, section 7.10.14. documents the minimum information required for a preliminary plat submission. This ordinance requires consistency with the Comprehensive Plan and Future Land Use Map, as well as Zoning ordinance and map. If either request ahead of this failed on an approval recommendation, the preliminary plat is not consistent with all Town regulations and cannot be approved.

Stormwater management plans – Section 7.10.05(4) requires stormwater management plans to be submitted “for review and comment at the time of preliminary plat submittal for major subdivisions...”. No plans were received beyond the site plan designating the stormwater pond locations.

The Town identified the need to require greenspace and public access lands like parks, playgrounds, and pedestrian walkways. The areas proposed for dedication to the Town are largely unbuildable lots, dominated by delineated wetlands protected by environmental regulations. It would be recommended to require more greenspace and usable land for the public dedication for parks and recreation areas of this potential new neighborhood.

From the Zoning Ordinance perspective, the lots meet area and dimensional standards. There are some concerns about the buildable area on some of the lots. Accounting for setbacks and unbuildable area of documented wetlands, lots 39, 32, 31, and 25 seem realistically unbuildable. Additionally, lots 11, 12, and 29-30 are also impacted by delineated wetlands.

Recommended actions:

If Comprehensive Plan amendment request and/or rezone request were not approved, it is recommend to reject this plat.

If both the Comprehensive Plan amendment and the rezone request were recommended for approval, this plat would still be recommended for denial. The recommended changes to the plat are large enough to no longer be considered substantially consistent with the original plans. By statute, final plats are entitled to approval if they are substantially consistent with approved preliminary plats.

Conditions to consider:

1. Additional lands are dedicated to the public for park space. A concept plan for those park areas would be required as well.
2. Lots impacted by wetland delineations are redrawn to minimize limitations to future property owners and their use of the property.
3. Mixed use zoning is considered to create walkable neighborhoods with services and business opportunities.

SUGGESTED MOTION(S):

Motion to recommend approval of the preliminary plat review application submitted by Vierbicher.

Motion to recommend denial of the preliminary plat review application submitted by Vierbicher.

Motion to recommend approval with conditions the preliminary plat review application submitted by Vierbicher.

Respectfully Submitted,
Kelsey