

MEMORANDUM

Business Item B

From: Administrator/Staff

To: Plan Commission

Re: Plan Commission review & recommendation on a Re-zoning Application submitted by Vierbicher on behalf of the Town of Clayton to re-zone Tax ID #006-0347-01; Tax ID #006-0344; Tax ID #006-0345; and Tax ID #006-0339-06 (immediately South of US Hwy 10 between Clayton Ave and Fairview Rd) from A-2 (General Agriculture District); I-1 (Light Industrial District); and B-3 (General Business District) to R-2 (Suburban Residential District), and R-4 (Multi-family Residential District).

Please see the comments below from Code Administrator Kamke:

Site subject to this request are lands located south of the USH 10 right-of-way, west of Clayton Avenue and accessed by the planned new road, Clayton Ridge Rd. These parcels are 006034701, 0060344, 0060345, and 006033906, and all are current zoned I-1 Industrial. The proposal is to rezone ±28.38 acres from I-1 Industrial to approximately 24.09 acres of R-2 Single Family and Duplex Residential district and 4.29 acres to R-4 Multifamily Residential district.

Part of the parcel closest to Clayton Ave, 006034701, is adjacent to an intermittent stream and therefore subject to the Winnebago County Shoreland zoning ordinance. The property is within the Town's Tax Increment District #1, and within the Town's Sanitary District #1, so water and sewer utilities are available for these properties.

Rezone requests must be consistent with all applicable plans. If the prior request for an amendment to the Town's Comprehensive Plan was not recommended for approval, this rezone request is not consistent with the adopted plan and therefore should fail to be recommended for approval. The current zoning of the property matches the Business Park use designation on the Town's Future Land Use Map.

In allowing development within the Town, priority is generally given to highest and best use of the land, under the assumption that each property is likely only developed once. The TID was developed as a mixed-use tax generator device, commonly used to help spur additional development within the Town's TID boundary. The revenue from these properties contributes to a fund that offsets eligible development costs, including economic development that contribute to the Town's long-term goals.

If the amendment request was approved:

The property is adjacent to a regional trail that connects the town to the developing areas of the Fox Valley. The requested zoning of R-2 Single Family residential does allow for park uses, and allows the proposal to be flexible in where dedicated public spaces are created, and not designate by zoning district where those areas will be.

SUGGESTED MOTION(S):

Motion to recommend approval of the rezone application submitted by Vierbicher.

Motion to recommend denial of the rezone application submitted by Vierbicher.

Motion to recommend approval with conditions the rezone application submitted by Vierbicher.

Respectfully Submitted,
Kelsey