

## MEMORANDUM

### **Business Item A**

From: Administrator/Staff

To: Plan Commission

Re: Plan Commission review & recommendation on an amendment to the Future Land Use Map of the Town of Clayton Comprehensive Plan 2040 submitted by Vierbicher on behalf of the Town of Clayton in the area immediately South of US Hwy 10 between Clayton Ave and Fairview Rd, being Tax ID #006-0347-01; Tax ID #006-0344; Tax ID #006-0345; and Tax ID #006-0339-06

Please see the comments below from Code Administrator Kamke:

Comprehensive planning documents are created by communities for several reasons. Wisconsin Statutes require that any municipality looking to enforce land use controls such as zoning ordinances and land division regulations must have a comprehensive plan. Development of the Comprehensive Plan must have opportunities for residents to provide input. This plan then provides a measuring stick against which land use petitions are compared, ensuring the development within the community is consistent with the collective vision for the area. Outlined in the Comprehensive Plan is the Plan Commission's responsibility to review all proposed development against each element of the Plan, including the natural environment (wetlands, high ground water and bedrock, and soil limitations).

A plan is only as good as the data available when it is adopted, and new pressures will always arise. Plans and their parts (e.g. Future Land Use map) are therefore able to be amended. Criteria to consider for Comprehensive Plan amendments include adherence of the proposal to the identified goals, strategies, and policies of the whole Plan, and if amendments will achieve these larger overarching objectives. Also consider if the proposed amendment would better fit the predominant uses and development pattern of the area, as well as if conditions have sufficiently changed to warrant the proposed amendment change.

The area under consideration for amendment was identified as Clayton Business Park district under the Town's 2023 Comprehensive Plan. This district was created to accommodate the airport overlay development restrictions imposed by Outagamie County to areas surrounding the Appleton International Airport, designed to protect both the community and those using the airport services. While outside the AOD boundaries, the area under consideration for this proposal has some of the highest visibility lands in the Town, abutting the US Highway 10 corridor and associated on/off ramps. The Business Park district assignment was made to capitalize on that visibility and traffic light-controlled accessibility to the highway, which give heavy and longer vehicles safer access to the regional transportation network. The focus of this district is to prioritize regional businesses, professional and service-based offices, and related uses that attract people to and from the Friendship Trail.

Goals strategies, and recommendations from the 2023 Plan related to business uses at USH 10/WIS 76:

- Facilitating the development of commercial (business park) and industrial (industrial park) land uses at the USH 10/WIS 76 interchange that provide services needed regionally,
- Creating an attractive environment for large-scale corporate and professional offices that can benefit from the visibility along the USH 10 corridor,
- Developing a unique brand for the 10/76 corridor area, to highlight key features of these locations in an effort to recruit developers.

Goals, strategies, and recommendations from the 2023 Plan related to new housing in the Town include:

- providing a range of new housing types that meet the needs of the Town's future population,
- locating future housing adjacent to services and amenities home buyers will find attractive,
- ensuring that adequate public greenspace is provided in the form of parks and trail corridors,
- planning out new Tier 1 housing development to create a set of diverse walkable urban and suburban neighborhoods,
- utilizing the tiered development system to guide 85% or more of new housing development into the Tier 1 areas where sewer and water services are available,
- providing ample opportunities for higher density attainable workforce and retiree housing development which matches market demands for urban living and allows for a variety of housing sizes and styles, and
- ensuring that mixed use developments contain a complementary mix of uses such as affordable residential housing types, retail, commercial, employment, civic, and entertainment uses in close proximity, even in the same building.

The Comprehensive Plan amendment requested by the applicant is to amend the Future Land Use map to change the area from Business Park to Residential (both single/duplex and medium/high densities) and designate parks and recreation category lands along the Friendship Trail / USH 10 right-of-way.

This proposal is consistent with the goal and intention to promote residential development within the Tier 1 area. It proposes to use existing utility access for sewer and water service, which is consistent with concentrating new development on areas with these services. These services also protect natural resources, since wetlands on the site indicate high water tables and poor-draining soils which are limitations for installation of private septic systems.

Amending the Future Land Use map would not further the Town's goal to develop this corridor land into a regional professional hub. A large portion of the Economic Development chapter of the Comprehensive Plan would need to be revised if this amendment is adopted.

Residential uses along a major thoroughfare like USH 10 are not consistent with the goals to provide housing in locations home buyers will find attractive. The proposal prioritizes single-family developments, which does not support the goal for a mix of housing types and higher density developments. While there is likely intent for new multifamily buildings on the lands adjacent to Clayton Avenue, a strictly residential

development in this area of the Town is not set up to be connected to other complementary mixed uses, like coffeeshops, bike repair shops, etc.

The Friendship Trail is adjacent to the property and provides a connection to the developing core of the Fox Valley area. The dedicated greenspaces in the proposal are almost entirely unbuildable lands best left fallow, as they are mostly protected wetlands with minimal development potential. These facts indicate that while this development plans to allow access to the existing Trail corridor, the proposal does not add usable public greenspace to the proposed neighborhood and therefore does not meet the goal of adequate public greenspace within residential developments.

This proposal aligns with and is closely tied to two other requests before the Plan Commission, being a rezone request and a preliminary plat review. Both of those requests require consistency with the adopted Comprehensive Plan to be eligible for approval and moving forward with the developments. A failed motion to amend the Comprehensive Plan will effectively remove a path to approval for those other agenda items.

**SUGGESTED MOTION(S):**

*Motion to recommend approval of the amendment to the Future Land Use Map of the Town of Clayton Comprehensive Plan 2040 submitted by Vierbicher.*

*Motion to recommend denial of the amendment to the Future Land Use Map of the Town of Clayton Comprehensive Plan 2040 submitted by Vierbicher.*

Respectfully Submitted,  
Kelsey