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TO: Plan Commission
DATE: July 22nd, 2024
SUBJECT: Recommendation to Council - 1310 Allwardt St Rezoning

A rezoning requested by Kory Krieser, agent for Hartland Shores LLC, to change the zoning on the parcel located at 1310 Allwardt St. Parcel PIN: 291-0915-3413-014

SITE DETAILS:

Acres: 20
Current Zoning: Single Family Residential
Existing Land Use: Vacant
Future Land Use Designation: Institutional

BACKGROUND & APPLICATION DESCRIPTION:

The applicant is proposing to change the zoning designation from Single Family Residential (SR-4) to Multi-Family Residential-10 (MR-10) for the development of an apartment complex. A Comprehensive Plan Amendment to Multi-Family Future Land Use is also pending for this development. This rezoning will run concurrently with the Comprehensive Plan Amendment. The parcel cannot be rezoned without adoption of the associated Comprehensive Plan Amendment.

STAFF EVALUATION:

Land Use and Zoning:

Nearby Future Land Use designations include Single Family Residential to the north and west. Multi-Family Future Land Use exists to the south and Institutional Future Land Use exists to the west.

Nearby Zoning includes Single-Family Residential Zoning to the west, north, and east. Multi-Family Residential Zoning with a PUD exists to the south and Planned Office and Institutional Zoning exists to the southeast.

Zoning Code

The zoning code requires the Plan Commission to review rezoning requests and make a recommendation to the Common Council.

Per Section § 550-141G:

G. Review and recommendation by the Plan Commission. The Common Council shall not make an amendment to the Official Zoning Map without allowing for a recommendation from the Plan Commission per the provisions of this subsection.

(1) Within 60 days after the public hearing (or within an extension of said period requested in writing by the applicant and granted by the Plan Commission), the Plan Commission shall make a written report to the Common Council stating its findings regarding Subsection **D** above and its recommendations regarding the application as a whole. Said report shall include a formal finding of facts developed and approved by the Plan Commission concerning the requirements of Subsection **D(3)(a)** through **(c)**.

(2) If the Plan Commission fails to make a report within 60 days after the filing of said complete application [and in the absence of an applicant-approved extension per Subsection **G(1)** above], then the Common Council may act on the application within 30 days after the expiration of said sixty-day period. Failure to receive said written report from the Plan Commission per Subsection **G(1)** above shall not invalidate the proceedings or actions of the Common Council.

(3) If the Plan Commission recommends approval of an application, it shall state in the minutes or in a subsequently issued written decision its conclusion and any finding of facts supporting its conclusion as to the following: that the potential public benefits of the proposed amendment outweigh any and all potential adverse impacts of the proposed amendment, as identified in Subsection D(3)(a) through (c) above, after taking into consideration the proposal by the applicant

PUBLIC HEARING COMMENT:

Public comments from the July 16th, 2024 Public Hearing before the Common Council, if any, are attached.

PLAN COMMISSION OPTIONS:

The following are possible options for the Plan Commission:

1. Negative recommendation of the Rezoning to Common Council.
2. Positive recommendation of Rezoning to Common Council.
3. Positive recommendation of the Rezoning to Common Council, with conditions identified by the Plan Commission.

ATTACHMENTS:

- Application materials