



## BUILDING, SAFETY & ZONING DEPARTMENT

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TO: Plan Commission  
DATE: March 27, 2023  
SUBJECT: Recommendation to Council – 713 Milford St Street Rezoning

A rezoning requested by Hoffman Matz LLC to change the zoning on a portion of a parcel located at 713 Milford Street from Single-Family Residential Zoning to Planned Office and Institutional Zoning. Parcel PIN: 291-0815-0813-000

### SITE DETAILS:

Acres: 32.54

Current Zoning: Planned Office and Institutional & Single-Family Residential

Existing Land Use: Institutional

Future Land Use Designation: Planned Neighborhood & Planned Mixed Use

### BACKGROUND & APPLICATION DESCRIPTION:

The applicant is proposing to change the zoning designation of a strip of land along the northern edge of the property from Single-Family Residential Zoning to Planned Office and Institutional Zoning. The purpose of the rezoning is to align the Planned Office and Institutional Zoning District boundary with the north property line. The property line changed due to a Certified Survey Map adopted last year. The rezoning would put the entire parcel under the Planned Office and Institutional Zoning District.

### STAFF EVALUATION:

#### Land Use and Zoning:

Nearby Future Land Use designations include Planned Neighborhood to the north and Planned Mixed Use to the south. The parcel itself exists partial in both the Planned Neighborhood & Planned Mixed Use Future Land Use Categories.

Nearby Zoning includes Single-Family Residential Zoning to the north and Planned Office and Institutional Zoning to the south.

#### 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

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*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 March 21, 2023 Public Hearing before the Common Council, if any, are attached.

**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