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TO: Plan Commission
DATE: March 27, 2023
SUBJECT: Recommendation to Council - 407 S Washington Street Rezoning

A rezoning requested by Jerome Keeser to change the zoning on a portion of a parcel located at 407 S Washington Street from Two Family Residential Zoning to Central Business District Zoning. Parcel PIN: 291-0815-0424-059

SITE DETAILS:

Acres: 0.32
Current Zoning: Two-Family Residential
Existing Land Use: Single Family Residential & Commercial
Future Land Use Designation: Two-Family Residential

BACKGROUND & APPLICATION DESCRIPTION:

The applicant is proposing to change the zoning designation of the eastern 6,514 sq ft of the parcel from Two-Family Residential Zoning to Central Business District Zoning. A Plan Amendment and Certified Survey Map related to the rezoning are also pending. 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 Central Mixed Use directly adjacent to the south, as well as, across the street to the east and to the north. Two-Family Residential Future Land Use exists to the west.

Nearby Zoning includes Central Business District Zoning directly adjacent to the south, Neighborhood Business Zoning directly adjacent to the north, and Central Business District Zoning with a Planned Unit Development Overlay across the street to the east. Two-Family Residential Zoning exists to the west.

Zoning Code

The zoning code requires the Plan Commission to review rezoning requests and make a recommend 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 March 21, 2023 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