



## BUILDING, SAFETY & ZONING DEPARTMENT

Main Office 920-262-4060	Brian Zirbes 920-262-4041	Mark Hady 920-342-0986
Nikki Zimmerman 920-262-4045	Dell Zwieg 920-262-4042	
Doug Zwieg 920-262-4062	Dennis Quest 920-262-4061	

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TO: Plan Commission  
DATE: Sept 23rd, 2024  
SUBJECT: Initial Review and Schedule a Public Hearing – Rezoning

A rezoning requested to change the zoning on the parcel located at 1911 Gateway Drive. Parcel PIN(s): 291-0815-1624-000, 291-0815-1624-002, 291-0815-1624-003, 291-0815-1624-004, 291-0815-1624-005, & 291-0815-1624-006.

### SITE DETAILS:

Acres: 33.32 acres

Current Zoning: Mixed Zoning

Existing Land Use: Vacant / Existing Home

Future Land Use Designation: Planned Mixed Use & Planned Neighborhood

### BACKGROUND & APPLICATION DESCRIPTION:

The applicant is proposing to change the zoning designation from Mixed Zoning to Multi-Family Residential 10 (MR-10) for the development of an apartment complex. This parcel was previously part of the Heron Landing residential development project that was never implemented. Most of this parcel was previously planned for multi-family development as part of that project. A Comprehensive Plan Amendment to Multi-Family Future Land Use is also pending for this development. A future Conditional Use Permit for a Group Development will also be required for this proposal. A CSM combining the existing parcels into one lot was approved by the Plan Commission on Aug 12<sup>th</sup>, 2024.

### STAFF EVALUATION:

#### Land Use and Zoning:

Nearby Future Land Use designations include Planned Mixed Use to the north and west. Planned Neighborhood Future Land Use exists to the south and east.

Nearby Zoning includes General Business and Planned Office and Institutional Zoning to the west and north. Rural Holding and Mixed Zoning are located to the south and west.

#### Zoning Code

The zoning code requires the Plan Commission to conduct an initial review of the rezoning and schedule a public hearing before the Common Council.

Per Section § 550-141E:

E. Initial review by the Plan Commission and scheduling of Common Council public hearing. 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) The Plan Commission shall schedule a reasonable time and place for a public meeting to hear the application within 45 days of the acceptance and determination of the complete application as determined by the Zoning Administrator. The applicant may appear in person, by agent and/or by attorney.
- (2) Within 60 days after the public meeting (or within an extension of said period requested in writing by the applicant and granted by the Plan Commission), the Plan Commission shall schedule a public hearing before the Common Council.

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*Opportunity Runs Through It*

*(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*

PLAN COMMISSION OPTIONS:

The following are possible options for the Plan Commission:

1. Set public hearing date for November 4<sup>th</sup>, 2024.
2. Set public hearing to a later date

ATTACHMENTS:

- Application materials