



Project Address: 10252-10554 Mineral Point Road

Application Type: Preliminary Plat Re-Approval

Legistar File ID # [81562](#)

Requested Action: Re-approving the preliminary plat of *Herrling Property Subdivision* on property generally addressed as 10252-10554 Mineral Point Road.

Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Addendum

The applicant, United Herrling Land, LLC, is requesting re-approval of the preliminary plat of *Herrling Property Subdivision* to guide subdivision of the remaining approximately 109 acres of the original 141.8-acre overall parcel into approximately 60 lots for future single-family residences in SR-C2 (Suburban Residential–Consistent 2 District) and SR-C3 (Suburban Residential–Consistent 3 District) zoning, and 17 lots to be developed with a variety of multi-family dwelling types in the SR-V2 (Suburban Residential–Varied 2), TR-V2 (Traditional Residential–Varied 2), or TR-U1 (Traditional Residential–Urban 1) zoning districts. The preliminary plat includes lots and outlots in the future phase of the *Westwind* subdivision on the portion of the subject site addressed as 10554 Mineral Point Road/149 Wisteria Street.

The preliminary plat re-approval was scheduled for review at the March 25, 2024 Plan Commission meeting but was referred at the request of the applicant to allow for further discussion with staff regarding specific conditions in the March 25 staff report. Specifically, the applicant inquired about the timing of condition 56 and the applicability of condition 61.

Parks Division staff has since clarified that condition 56 related to the farming of land dedicated to the City for parkland applies once the *final* plat dedicating the parkland has been approved and recorded and the outlot in City control. Parks staff also confirmed that condition 61 should be removed because the proposed park on Outlot 7 will not abut any private development parcels but rather will be bordered by a public greenway on the north and west (Outlot 6) and public streets on the south and east; therefore, the fencing in the condition is not required.

Recommendation

The Planning Division recommends that the Plan Commission forward re-approval of the preliminary plat of the *Herrling Property Subdivision* at 10252-10554 Mineral Point Road to the Common Council with a recommendation of **approval** subject to input at the public hearing and the conditions in the March 25, 2024 staff report, with the exception of condition 61, which shall be struck.

~~61. The applicant shall install a fence along the boundary of lands dedicated for public park purposes at the sole expense of the applicant. The fence shall be installed on private property to a design that is mutually agreeable to the applicant and Parks Division. The cost of the fence shall not be eligible for Park Infrastructure Impact Fee credits. The applicant shall execute a deed restriction that would require the fence to be perpetually maintained by the property owners for any lots that are adjacent to publicly dedicated park lands.~~