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TO: Mayor Satya Rhodes-Conway
Common Council

FROM: Timothy M. Parks, Planner

DATE: June 18, 2019

SUBJECT: Items 3 and 44 on tonight's agenda: #3, ID 55535 – Approval of a request to rezone a portion of 2801 Hickory Ridge Road from SR-V2 (Suburban Residential–Varied 2 District) to TR-C1 (Traditional Residential–Consistent 1 District), and #44, ID 55429 – Approval of the preliminary plat and final plat of *Esker,* creating four single-family lots along Hickory Ridge Road in TR-C1 zoning and three lots in SR-V2 zoning to be developed with 202 apartment units in eight buildings.

At the request of Council President Shiva Bidar and 7th District Ald. Donna Moreland, the Planning Division offers the following synopsis of the questions pending before the Common Council this evening related to the "Esker" development at 2801 Hickory Ridge Road and 7801 Raymond Road, 7th Ald. Dist.

The subject site is an undeveloped 10.5-acre parcel that extends along the south side of Raymond Road from Hickory Ridge Road to S. High Point Road, which is zoned SR-V2 (Suburban Residential–Varied 2 District). The site is Lot 11 of the Glacier Valley subdivision, and was platted for the future development of up to 156 dwelling units when the Glacier Valley subdivision was first approved in 2002. At that time, Lot 11 was rezoned to the R4 (General Residence) zoning district at the request of the previous developer pursuant to the 1966 Zoning Code. The remainder of the Glacier Valley subdivision includes ten single-family lots in R2 single-family zoning (now TR-C1). The R4 zoning transitioned to SR-V2 zoning with the mapping of the entire City to the new Zoning Code that took effect in 2013. The R4 and SR-V2 districts are effectively the same for bulk and density purposes.

The proposed *Esker* subdivision calls for approximately 1.2 acres of the larger 10.5-acre to be rezoned to TR-C1 single-family zoning and subdivided into four single-family lots fronting onto Hickory Ridge Road. The remaining 9.3 acres of land will be subdivided into three lots, which will be developed with a residential building complex comprised of 202 multi-family units in eight two- to three-story buildings in the existing SR-V2 zoning. Plans for the residential building complex are attached to Legislative File ID 55180.

The Plan Commission found the standards met and approved a conditional use for the apartment development at its May 20, 2019 meeting on a 6-2 vote. At the same meeting, the Commission found the standards for zoning map amendments and subdivisions met and recommended approval of ID 55535 and ID 55429 to the Common Council on the same 6-2 vote.

The zoning map amendment to "downzone" the four proposed single-family lots to a single-family-only zoning district and the subdivision plat to create those lots and the three lots on which the apartment

complex will be phased are pending before the Council this evening; **the 202-unit apartment complex is not**.

In the event that the Council should not approve the rezoning of the 1.2 acres to TR-C1, the plat could still be approved and recorded creating the seven proposed lots. All of the proposed development is allowed in the existing SR-V2 zoning, which allows single-family detached housing on 50-foot wide, 6,000 square-foot lots among other residential uses including but not limited to multi-family housing up to 21.7 units per acre. Likewise, the 202-unit multi-family development on the eastern 9.3 acres could proceed without approval and recording of the plat according to the plans approved by the Plan Commission once the conditions of approval enumerated in the May 20 staff report are met.

Finally, the State's subdivision statute, Wis. Stats. 236, requires that a preliminary plat be approved, conditionally approved, or rejected (with stated reasons) within 90 days of submittal unless the time is extended by agreement with the applicant. If no action is taken within 90 days and no extension granted, the plat is deemed approved. The proposed preliminary plat application was submitted to the City for the March 20, 2019 application deadline. Therefore, the 90-day review period for the Esker plat is scheduled to expire on June 18, 2019.