

RESOLUTION #P.C. 060-2007

RECOMMENDATION TO REZONE PROPERTIES FROM RC-2 COUNTRY RESIDENCE DISTRICT AND RC-3 COUNTRY RESIDENCE DISTRICT TO A PLANNED DEVELOPMENT DISTRICT LOCATED IN THE NE ¼ OF SECTION 24 (TAX KEY NOS. 2253.998.003 & 2253.998 / NORTH CAPE ROAD).

WHEREAS, On April 13, 2007 a petition for rezoning was submitted by Mariner Land Corporation to rezone properties from RC-2 Country Residence District and RC-3 Country Residence District to a Planned Development District located on North Cape Road (Tax Key Nos. 2253.998.003 & 2253.998), and

WHEREAS, A Public Hearing for the rezoning has been scheduled before the Common Council on May 22, 2007, and

WHEREAS, The PD Planned Development Overlay District allows flexibility in the underlying zoning in relation to reduced densities, lot sizes, open spaces, height of structures, and/or setbacks and offsets, and

WHEREAS, The petitioner is requesting the PD Planned Development District using the RS-2 District as a base (consistent with 20,000 square foot lots or greater) for the purpose of a future subdivision allowing the following: Using the gross acreage for density calculations and reduced setbacks and offsets for the future lots, and

WHEREAS, The petition would permit sewered residential development allowing single-family residential lots of a minimum of 20,000 square feet and 110 feet in width and the future preliminary plat shows no parcels less than 20,000 square feet and 110 feet in width, and

WHEREAS, The RS-2 zoning allows front setbacks of 40 feet and offsets of 15 feet on one side and 20 on all other, and

WHEREAS, The Planned Development requests the setbacks change to mimic those granted in the Boxhorn Reserve Subdivision, to the south, with front setbacks of 30 feet and offsets of 15 feet on the sides and 25 feet on the rear, and

WHEREAS, The future preliminary plat shows the average parcel size is approximately 25,136 square feet in size with 51 lots, and

WHEREAS, The reason for the Planned Development zoning is to cluster the lots toward North Cape Road while preserving 23.41 acres (Which is mostly build able) for dedication to the City or DNR for prairie restoration and conservation of the Big Muskego Wildlife Area, and

WHEREAS, The City and DNR own lands attached to this development to the south already and the DNR/City are working on purchasing the land directly west of this parcel, and

WHEREAS, The developers have been in front of the Conservation Commission and the Commission recommended approval of the development as long as a large portion of the land is dedicated to the preservation of the Big Muskego Lake Wildlife Area, and

WHEREAS, The 2010 Comprehensive Plan currently depicts the property for low-density residential uses (.5 – 1.49 units an acre), and this proposal is consistent with this goal (Future plans show a gross of .80 units an acre), and

WHEREAS, Plan Commission previously recommended approval of a conceptual plan for these properties as a Planned Development as long as the lots mimicked those of Boxhorn Reserve to the south and the dedicated conservation land was maximized.

THEREFORE BE IT RESOLVED, That the Plan Commission does hereby recommend approval to the Common Council for the rezoning from the RC-2 Country Residence District and RC-3 Country Residence District to a Planned Development District for properties located on North Cape Road (Tax Key Nos. 2253.998.003 & 2253.998).

BE IT FURTHER RESOLVED, That a future preliminary plat must adhere to the concept presented at the rezoning.

Plan Commission  
City of Muskego

Adopted: June 5, 2007

Defeated:

Deferred:

Introduced: June 5, 2007

ATTEST: Kellie Renk, Recording Secretary