



**Meeting Date:** June 20, 2011  
**Agenda Item:** #6-7

**Mission Statement**  
 Provide quality services in a modern, courteous and cost-efficient manner.

**VILLAGE PLAN COMMISSION STAFF REPORT**

---

**REPORT TO:** President Burt McIntyre and Village Plan Commission

**REPORT FROM:** Dave Wiese, Executive Director of Community Development

**AGENDA ITEM:** A request from Keith Garot of Landmark Real Estate to rezone all of Outlots 2, 3, 4, 5, and 6 of the recorded plat of Spencer’s Crossing parcels VH-2979, VH-2980, VH-2981, VH-2982, VH-2983 from (R-5) Rural Estate Residential to Residential Single Family (R-1).

**ACTION REQUESTED:** Approval of the rezoning.

**POLICY ISSUE**

Should the Village rezone the subject property from R-5 Rural Estate Residential to R-1 Residential Single Family?

**POLICY ALTERNATIVE(S)**

The Plan Commission could take the following action:

- Approve the request.
- Deny the request.
- Table the request until a later meeting date.

**BACKGROUND**

The property is designated as Neighborhood Residential in the current and draft Comprehensive Plan. The rezoning would allow the continuation of the Spencers Crossing subdivision. The road would extend (Spencers Crossing) approximately 1300 feet north. The property is currently zoned R-5 Rural Estate Residential. The property needs to be rezoned to R-1 Residential Single Family in order to proceed with the development.

<b>BASIC INFORMATION</b>	
<b>Project Name</b>	Spencers Crossing 1 <sup>st</sup> Addition
<b>Applicant Name</b>	Keith Garot -----Landmark Real Estate
<b>Consultant</b>	Mau & Associates-----920-434-9670
<b>Size of Parcel</b>	11.43 Acres
<b>Existing Zoning</b>	R-5 Rural Estate Residential
<b>Requested Zoning</b>	R-1 Residential Single Family
<b>Property Location</b>	Adjacent to Mill Centre Park
<b>Comprehensive Plan Designation</b>	Neighborhood Residential

<b>ADJACENT LAND USE/ZONING MATRIX</b>		
<b><i>Direction</i></b>	<b><i>Land Use</i></b>	<b><i>Zoning</i></b>
<b>North</b>	Vacant- Rural Residential Homes	R-5
<b>South</b>	1 <sup>st</sup> Phase Spencers – Single Family Homes	R-1
<b>East</b>	Vacant Land	R-5
<b>West</b>	Village Park	A-1

**EXECUTIVE ANALYSIS**

1. **Zoning.**

The current zoning is R-5. The proposed area is larger than 25,000 square feet and does have more than 200 feet of frontage. A zoning change is necessary.

2. **Lot & Width Area.**

The proposed lots would meet the 90 feet of street frontage and 12,150 square feet of lot area requirements of the zoning code.

3. **Floodplain, Shoreland Zoning & Stormwater Management.**

On site stormwater management would need to be provided and approved by the Village of Howard Engineering Department before building permits are issued.

4. **Fire Protection**

This property is currently served by the municipal water system and is located one-half mile from the nearest fire station.

**REZONING CRITERIA** The Zoning Ordinance requires that “Where the purpose and effect of the proposed ordinance amendment is to change the zoning district classification of a particular property, the Plan Commission shall make findings based upon evidence presented to it in each specific case with respect to the following matters:

1. Existing land uses within the general area of the property in question.
2. The zoning district classification of land within the general area of the property in question.
3. The suitability of the property in question to uses permitted under the existing zoning district classification.
4. The trend of development in the general area of the property in question, including recent changes, if any, in zoning district classification.”

**RECOMMENDED ACTION BY THE PLAN COMMISSION**

It is requested that the Village of Howard Plan Commission open the public hearing, receive comments, and recommend approval or denial of the proposed rezoning. The proposed request is consistent with the future land use map in the Comprehensive Plan and Village Center Master Plan. The Plan Commission has the following options:

1. Approve the request as submitted.
2. Modify the request by either recommending another more restrictive district or rezoning less area.
3. Deny the request.

**ATTACHMENTS**

- I. Existing Zoning Map

**COPIES EMAILED TO**

Mau & Associates

# ATTACHMENT I

