

Item 23-0734: Request to approve Rezoning #4-23 for the subject site located at 2600 S. Heritage Woods Drive...from PD/R-3 Planned Development Amendment #G-98 Multi-family District to R-3 Multi-family District

City Plan Commission

Wed, Jun 28, 2023, 3:30PM

Isaac Uitenbroek (City Plan Commissioner) 01:00

Alright, looks like we have three public hearings today and some associated action items with those. So first public hearing 23-0733 rezoning 4-23 for subject site located at 2600 South Heritage Woods drive. And for that we go to Don. What number are you? Number four.

Principal Planner Don Harp 01:22

All right, we're all good. Okay. ThedaCare is proposing to expand their existing community based residential facility, which is a CBRF. Currently, they have 20 beds. They're looking for immediate expansion of eight with the ability to increase that to additional 23 in the future. So, there would be a total of 51 beds at the Heritage facility is what is being proposed.

Principal Planner Don Harp 01:55

When staff was looking at the history files on this property, we noted that in the plan development that currently is the overlay on this property—it's G-98, it's a PDR3 G-98. We noted that the implementation plan document was not finalized or recorded. That document is required to be recorded to facilitate the implementation of the development standards which sets the zoning regulations for this property. With that not being recorded, there are no development standards. Therefore, no development can occur until there's some sort of zoning action proposed by the owner. Staff met with the ThedaCare team and provided them with some recommendations on how to resolve this issue. And they elected to initiate the rezoning of the property from the Plan Development Overlay District G-98 to the base R-3 multifamily district. That would allow them to apply for a special use permit to expand and conform the CBRF facility. And the other primary uses on the property would be categorized as a principal uses. So, the R-3 zoning district would allow them to continue the use and also expand the su—the CBRF. Staff has reviewed the findings for map amendments and are recommending approval of the rezoning request.

Isaac Uitenbroek (City Plan Commissioner) 03:18

All right, thank you. This is a public hearing. Is there anyone who wishes to speak? This is a public hearing. Is there anyone who wishes to speak? This is a public hearing. You don't have to, but I need to say it three times. So, if you want to please come on up. If not? **[It sounded like the people in the audience indicated off microphone that they did not have anything to say.]** Sounds great. All right. This is a public hearing and is there anyone else who wishes to speak? Hearing none, we'll close the public hearing.

Isaac Uitenbroek (City Plan Commissioner) 03:49

And we'll move to the associated action item which is item 23-0734 request to approve rezoning 4-23 for subject site located at 2600 South heritage Woods drive. We've heard from staff. Is there a motion?

Aldersperson Denise Fenton (District 6) 04:04

Move to approve.

Pete Neuberger (Commissioner) 04:06

Second.

Isaac Uitenbroek (City Plan Commissioner) 04:07

We have a motion and a second to approve. Any discussion? Hearing none all those in favor? Aye. Opposed? And the motion passes.

Isaac Uitenbroek (City Plan Commissioner) 04:22

All right next public hearing. 23-0731 special use permit 8-23 to conform and expand a community living arrangement CLA community based residential facility located at 2600 South Heritage Woods Drive. Don, again. Same thing?

Principal Planner Don Harp 04:43

Number four. Yeah, this is related to the same property. This allows them to apply for this special use permit to expand the CBRF to a total of 51 beds and also conforms the existing 20 bed under the same special use permit. Staff had reviewed the findings of fact for special uses, and we're recommending approval subject to the conditions in our staff report.

Isaac Uitenbroek (City Plan Commissioner) 05:08

Thank you. This is a public hearing. Is there anyone who wishes to speak? This is a public hearing. Is there anyone who wishes to speak? This is a public hearing. Is there anyone who wishes to speak? Hearing none, I now declare the public hearing closed.

Isaac Uitenbroek (City Plan Commissioner) 05:23

And we'll move to the associated action item. 23-0732 request to approve special exception use permit 8-23 to conform and expand a community living arrangement community based residential facility located at 2600 South Heritage Wood Drive. Is there a motion?

[Off microphone, Alderperson Denise Fenton (District 6) made a motion to approve.]

Pete Neuberger (Commissioner) 05:43

Second.

Isaac Uitenbroek (City Plan Commissioner) 05:45

We have a motion and a second to approve. Is there any discussion from the Commission? All right. Hearing none, all those in favor? Aye. Opposed? Motion passes.