

**PLAN COMMISSION
RESOLUTION NO. 2021-01**

**VILLAGE OF YORKVILLE
RACINE COUNTY, WISCONSIN**

A RESOLUTION OF THE PLAN COMMISSION OF THE VILLAGE OF YORKVILLE RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING THE RACINE COUNTY CODE OF ORDINANCES AS ADOPTED BY THE VILLAGE OF YORKVILLE UNDER SECTION 55-1(A) OF THE CODE OF ORDINANCES OF THE VILLAGE OF YORKVILLE RELATING TO THE REZONING OF ±85 ACRES OF LAND FROM THE A-2 GENERAL FARMING AND RESIDENTIAL DISTRICT II TO THE C-2 UPLAND RESOURCE CONSERVATION DISTRICT, SW¼ OF SEC. 1, T3N, R21E., LOCATED WEST, NORTH AND EAST OF 14700 50TH ROAD (PARCEL ID #'S 194-03-21-01-006-040, 194-03-21-01-006-030 AND 194-03-21-01-006-010), TO ACCOMMODATE A 15-LOT CONSERVATION RESIDENTIAL DEVELOPMENT; DIVERSIFIED LAND DEVELOPERS, LLC, OWNER; TNG 27, LLC, APPLICANT

THE VILLAGE PLAN COMMISSION OF THE VILLAGE OF YORKVILLE, RACINE COUNTY, WISCONSIN, RESOLVES AS FOLLOWS:

RECITALS

WHEREAS, the Village of Yorkville, pursuant to Wisconsin Statutes §§ 62.23 and 61.35, created a Village Plan Commission; and

WHEREAS, TNG 27, LLC ("Applicant") has proposed a 15-lot conservation subdivision known as Yorkshire Highlands ("Development").

WHEREAS, to accommodate its proposed Development, the Applicant has applied to rezone ±85-acres from A-2 General Farming and Residential District II to C-2 Upland Resource Conservation District; SW¼ of Sec. 1, T3N, R21E, for property is located west, north and east of 14700 50th Road (Parcel ID #'s 194-03-21-01-006-040, 194-03-21-01-006-030 and 194-03-21-01-006-010). The property to be rezoned is shown and legally described on the Applicant's proposed Preliminary Plat as prepared by Pinnacle Engineering Group consisting of two pages, with last revision date of February 26, 2021, which is incorporated herein by reference as though fully set forth herein; and

WHEREAS, on December 14, 2020 a duly noticed public hearing as to the proposed rezoning of the land identified below was held, and the matter was tabled to allow for the submission by the Applicant of additional information as referenced in the official minutes for the December 14, 2020 Joint Village Board/Plan Commission meeting; and

WHEREAS, the Village, after consultation with the Applicant and Village staff, is recommending the use of a conditional rezoning approach to enable the development process to continue pending the receipt of final approvals that will be needed by the ultimate developer.

NOW THEREFORE IT IS RESOLVED that the Plan Commission finds that the proposed rezoning of the above-described land from A-2 General Farming and Residential District II to C-2 Upland Resource Conservation District is appropriate for the following reasons:

1. This rezoning will not adversely affect the surrounding property values and is consistent with the existing adjacent land uses.
2. The proposed rezoning appears to fit with adjacent uses, as the proposed ±85-acres that are being requested to be zoned to the C-2 Upland Resource Conservation District are adjacent to Stonecrest Shores Subdivision to the west and other Agricultural, Rural Residential and Open Land uses to the north, east and south.
3. The proposed rezoning is in compliance with the Agricultural, Rural Residential and Open Land designation for the subject properties in the Village's adopted comprehensive plan and land use map as contained in the document entitled "2020-2050 Village of Yorkville Comprehensive Plan."

BE IT FURTHER RESOLVED that the Plan Commission does hereby recommend that the Village Board enact an Ordinance conditionally approving the requested rezoning and conditionally amending the Village zoning map for the Village, subject to the following conditions:

1. **Land Division.** Subject to the Development being divided by subdivision plat in the manner described at the public hearing held on December 14, 2020, as further refined in subsequent meetings of the Plan Commission and Village Board, and further subject to satisfying any and all conditions that are imposed by the Village in approving the preliminary plat, and satisfying all conditions that may be imposed by the Village and all other approving and objecting authorities in approving the final plat (if approved), and further subject to recording the final plat as approved by the Village (if approved) in the office of the Racine County Register of Deeds.
2. **Village Engineer's Recommendations.** Subject to compliance with all of the recommendations of the Village Engineer as set forth in his letters dated December 7, 2020 and January 27, 2021.
3. **Drain Tile Study.** Subject to compliance with all recommendations of the Plan Commission and Village Board relative to the Existing Agricultural Drain Tile Investigation Plan as prepared by Huddleston McBride and dated December 17, 2020, as set forth in detail in the Village Engineer's recommendations set forth above.
4. **Subject to Acceptance.** Subject to the Applicant acknowledging in writing that they have received a copy of this conditional approval, that they understand and accept the same, and that upon failure to satisfy these conditions this approval is void, and the same is deemed to not have been approved, and the Owner and Applicant will therefore need to re-commence the application process.

5. **Time to Satisfy Conditions.** Subject to the Owner and Applicant satisfying all of the aforementioned conditions by December 31, 2021, unless extended by the Village Board.
6. **Conditional Use Permit.** Subject to the applicant receiving approval from the Village for a Conditional Use Permit (“CUP”) for a 15-lot cluster residential development and agreeing to comply with all of the conditions of the CUP approval.

This Resolution was adopted by the Yorkville Plan Commission on March 8, 2021.

**VILLAGE OF YORKVILLE
PLAN COMMISSION**

Ayes: 5

Nays: 0

Abstentions: 0

Absences: 0

By: /s/ Douglas Nelson
Douglas Nelson, Chair

Attest: /s/ Michael McKinney
Michael McKinney, Secretary