Regular Plan Commission Meeting

Meeting Notice and Agenda

Village of Cross Plains
2417 Brewery Road, PO Box 97
Cross Plains, WI 53528
(608) 798-3241

Monday, March 7, 2016
7:00 pm

I. Call to Order, Pledge of Allegiance, and Roll Call

II. Public Comment – This is an opportunity for anyone to address the Plan Commission on any issue NOT on the current agenda. *Please observe the time limit of 3 minutes.* While the Plan Commission encourages input from residents, it may not discuss or act on any issue that is not duly noticed on the agenda.

III. General Business

1. Discussion and action regarding minutes of regular meeting held February 1, 2016.

2. Discussion and action to make a recommendation to the Village Board regarding the Preliminary Plat for Glacier Ridge Subdivision.

3. Consideration of Ord. #03-2016 setting the zoning for Glacier Ridge Subdivision located at 2504 Military Road (Buechner Farm) as part of its development as a residential subdivision.

a. Public Hearing.

b. Discussion and action to make a recommendation to the Village Board.

4. Discussion and action to make a recommendation to the Village Board regarding a Temporary Limited Easement (TLE) between the Village and Middleton-Cross Plains School District to be used for grading the storm water basin.

5. Discussion and action to make a recommendation to the Village Board regarding a quit claim deed from the Middleton-Cross Plains School District to the Village for street right-of-way purposes and Ordinance #04-2016 dedicating the acquired right-of-way to the public.

6. Discussion and action to make a recommendation to the Village Board regarding a Development Proposal from Sundance Development, LLC in order to annex and develop the property of and adjoining to 4923 Brewery Road (Weber Farm) as a residential subdivision.

IV. Adjournment

This meeting notice constitutes an official meeting of the above referenced group and was posted in accordance with all applicable laws related Open Meetings Law. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals. For additional information or to request this service, contact the Village Hall at (608) 798-3241 or matt@cross-plains.wi.us.

Village of Cross Plains
PO Box 97, 2417 Brewery Road
Cross Plains, WI 53528
Phone: (608) 798-3241
Fax: (608) 798-3817

Memorandum

To: Plan Commission
From: Matthew G. Schuenke, Village Administrator/Clerk-Treasurer
Date: March 4, 2016
Re: Plan Commission meeting – **March 7, 2016**

III. General Business

1. Discussion and action regarding minutes of regular meeting held February 1, 2016 – For approval.

2. Discussion and action to make a recommendation to the Village Board regarding the Preliminary Plat for Glacier Ridge Subdivision – A residential subdivision is planned for the Buechner Farm recently annexed into the Village. The next step in the development process is to subdivide the land via a Preliminary Plat. The Preliminary Plat is included in your packet for consideration along with a memorandum reviewing the recommended requirements. There are several variances and waivers included within the memorandum to allow for the development as planned. Following discussion, Staff recommends approval of the Preliminary Plat with the variances and waivers as noted.

3. Consideration of Ord. #03-2016 setting the zoning for Glacier Ridge Subdivision located at 2504 Military Road (Buechner Farm) as part of its development as a residential subdivision.

a. Public Hearing – A Public Hearing is needed prior to setting the zoning for the subdivision. A Class II notice was published as well as mailed to properties within at least 100' of the property. Following the formal opening and closing of the public hearing, the Plan Commission may conduct its review and make its recommendation to the Village Board.

b. Discussion and action to make a recommendation to the Village Board – With the Preliminary Plat adopted in the previous step, it is necessary to set the zoning for the recently annexed and subdivided land. The memorandum within your packet reviews the various residential and conservancy uses planned for this Development. The zoning as proposed is consistent with the Development Proposal previously approved by the Village. Following discussion, Staff recommends approval.

4. Discussion and action to make a recommendation to the Village Board regarding a Temporary Limited Easement (TLE) between the Village and Middleton-Cross Plains School District to be used for grading the storm water basin – A TLE is needed with the School District to allow the Developer's contractor to do some grading on the neighboring property to improve storm water flow between properties. This was discussed with the School District on February 10th and they were agreeable to the concept presented at the time. Both the Developer and School District are presently reviewing the terms of the TLE provided in the packet and it is recommended the Plan Commission approve this document for the board's consideration subject to the review by both entities. The Village Board will then take final action on the document at their meeting on March 28th.

5. Discussion and action to make a recommendation to the Village Board regarding a quit claim deed from the Middleton-Cross Plains School District to the Village for street right-of-way purposes and Ordinance #04-2016 dedicating the acquired right-of-way to the public – There is not enough available right of way to properly align the radius of the extension of Military Road at the northern property line with the School District. Additional ROW is needed from the School District to accomplish the designed improvement. The deed provides for the acquisition of the property by the Village from the School District and then the Ordinance then dedicates this to the public for use as street ROW. As a trade-off, the Village and Developer will work with the School District to better align the southern driveway. This was discussed with the School District on February 10th and they were agreeable to the concept presented at the time. Both the Developer and School District are presently reviewing the deed and ordinance provided in the packet and it is recommended the Plan Commission approve this document for the board's consideration subject to the review by both entities. The Village Board will then take final action on the document at their meeting on March 28th.

6. Discussion and action to make a recommendation to the Village Board regarding a Development Proposal from Sundance Development, LLC in order to annex and develop the property of and adjoining to 4923 Brewery Road (Weber Farm) as a residential subdivision – The Plan Commission was provided the full Development Proposal for this project at its meeting on February 1st for preliminary review. The project will require the annexation of 142 acres of land in order to construct 145 single family homes at full build out. The memorandum summarizing this review is provided in your packet without the exhibits for reference. The Plan Commission will consider this Development Proposal in order to make a recommendation to the Village Board. The board will then consider this recommendation at its meeting on March 28th. *Please let me know if you need the full Development Proposal with the exhibits for the meeting Monday, otherwise plan to bring the information from the last meeting.*

Regular Plan Commission Meeting

Regular Meeting Minutes

Village of Cross Plains
2417 Brewery Road, PO Box 97
Cross Plains, WI 53528
(608) 798-3241

Monday, February 1, 2016
7:00 pm

I. Call to Order, Pledge of Allegiance, and Roll Call

President Andreoni called the meeting was called to order at 7:10 pm.

Present: Commissioners Todd DuQuette, Ron Hilmanowski, Mitch Hogan, Cliff Zander, and President Pat Andreoni.

Not-Present: Commissioner Randy Case and Judy Ketelboeter.

II. Public Comment – None.

III. General Business

1. Discussion and action regarding minutes of regular meeting held January 4, 2016 – A motion was made by Commissioner DuQuette, seconded by Commissioner Hilmanowski, and unanimously carried by the Plan Commission to approve the regular meeting minutes held January 4, 2016.

2. Discussion and action to make a recommendation to the Village Board regarding proposed Ordinance #02-2016 annexing the property located at 2504 Military Road (Buechner Farm) into the Village – Following discussion, a motion was made by Commissioner DuQuette, seconded by Commissioner Zander, and unanimously carried by the Plan Commission to recommend approval to the Village Board regarding proposed Ordinance #02-2016 annexing the property located at 2504 Military Road (Buechner Farm) into the Village.

3. Discussion regarding a Development Proposal from Sundance Development, LLC in order to annex and develop the property of and adjoining to 4923 Brewery Road (Weber Farm) as a residential subdivision – Village Staff provided a review of the Pre-Annexation Agreement and presented the Annexation Factors for consideration by the Plan Commission. The Developer provided a presentation of the project. No action was taken on this item. Further discussion and possible action on this item will be considered by the Plan Commission at their March 7th meeting.

IV. Adjournment

A motion was made by Commissioner Hilmanowski, seconded by Commissioner Hogan, and unanimously carried by the Plan Commission to adjourn the meeting at 8:13 pm.

Pursuant to law, written notice of this meeting was given to the public and posted on the public bulletin boards in accordance with Open Meetings Law.

Respectfully submitted,

_____

Matthew G. Schuenke
Village Administrator/Clerk-Treasurer

Village of Cross Plains
PO Box 97, 2417 Brewery Road
Cross Plains, WI 53528
Phone: (608) 798-3241
Fax: (608) 798-3817

Memorandum

To: Plan Commission
From: Matthew G. Schuenke, Village Administrator/Clerk-Treasurer
Date: March 4, 2016
Re: **Review of Preliminary Plat for the proposed Glacier Ridge Subdivision (Veridian Homes)**

Executive Summary

The Village adopted an ordinance at its February 22, 2016 meeting annexing approximately 40 acres into the Village located at 2504 Military Road including Parcel #0707-022-9500-3 and #0707-022-9650-2. The Development Proposal for the site was adopted by the Village in January with a portion of the property to be used for new single family homes and another portion of the property will be used to site future public facility improvements. The Preliminary Plat has now been submitted to the Village for consideration first by the Plan Commission. Additionally at the time of consideration for the Preliminary Plat, the Plan Commission will also hold a Public Hearing and make a recommendation to the Village Board on an Ordinance setting the zoning for the property to be subdivided. The Village Board is scheduled to take up the recommendations at its meeting on March 28th. This memorandum will provide a review of the Preliminary Plat, review the requested zoning for the property, and summarize the next steps.

Preliminary Plat (Exhibit A)

Review Process – Section 83.25

The review process for a Preliminary Plat is contained within Section 83.25 (Exhibit B) of the Village Code. The Developer is responsible for submitting a Preliminary Plat that encompasses all lands within the property to be subdivided at least 30 days in advance of the Plan Commission review. This document was first submitted by the Developer for review on January 13th and has seen several iterations following Staff Review with the Public Facilities Director, Village Engineer, Parks/Recreation Director, Village Attorney, Village Planner, and Village President. A copy will also be forwarded to communication providers and other utilities. The Village Administrator/Clerk-Treasurer is responsible for making a determination that the document is complete and conforms to the requirements of the Land Division chapter. The Plan Commission shall recommend approval or conditional approval of the plat to the Village Board, or shall reject the plat as proposed. Plats recommended for approval or conditional approval shall be referred to the Village Board for their consideration. The Village Board is set to consider the plat at its March 28th meeting following appropriate action by the Plan Commission on March 7th.

Platting Requirements – Section 83.33-83.41

In order to subdivide the recently annexed land, a Preliminary Plat needs to be adopted according to the requirements listed in Section 83.33 through 83.41 of the Village Code (Exhibit C). The proposed Preliminary Plat for the Glacier Ridge Subdivision is listed in Exhibit A and was prepared based on a land survey as is required. Please note the following sections of the platting requirements:

- Section 83.33 – General Requirements: This section requires several formatting aspects of the document to include basic parameters such as the title, date, legal description, property owner name, developer, consultants, and adjoining conditions. The plat as proposed meets the general requirements of this section.

- Section 83.34 – Plat Data: Subsections (a)-(q) list all of the required data to be drawn within the proposed plat. This includes dedication requirements, lot numbering, easements, existing utility/infrastructure, adjacent conditions, and many other items contained within the detail. The only item missing is the parkland dedication. This is provided for as 1,455 square feet per dwelling unit or in the case of this development it would equal 1.436 acres. It is not shown on the plat because it is included within Lot #1 that has a total size of 13.635 acres to be acquired by the Village for future public improvements. There is no need to create a separate parcel within Lot #1 just for this dedication which eliminates the need to show it on the plat. The required dedication of parkland is being made, a variance is needed from the requirement that this dedication be shown on the Preliminary Plat.

- Section 83.35 – Street and Utility Plans and Profiles: Contained within Exhibit D are the civil engineering plans for the subdivision at 80% completion. This shows the engineering behind the construction of the subdivision from erosion control through final paving with utilities in between. The plans as submitted meet the requirements of this section.

- Section 83.36 – Testing: Soil boring logs have been submitted to the Village Engineer for review. This is done to review the subsurface soil, rock/water conditions, depth of bedrock, depth to ground water table, and other measurables within the ground. The results have been found to be acceptable to meet the requirements of this section.

- Section 83.37 – Covenants: The Plan Commission *may* require these documents at this time. The Developer does plan to institute these requirements but is not prepared to do so at this time. This document will be provided for review at the time of Final Plat consideration. Unless the Plan Commission makes this a requirement, not presenting them at this time is acceptable with this section.

- Section 83.38 – Erosion and Stormwater Drainage Control Plan: Exhibit D contains the civil engineering plans that detail the grading and erosion control plan plus specifications for stormwater installation. A Stormwater Management Plan (SMP) is still needed to conform to the requirements of Chapter 65, and will be considered as part of the review process for the Final Plat. A variance is needed from this requirement for the Preliminary Plat noting that the plans provided thus far are acceptable as part of the approval for the Preliminary Plat and the full SMP will be considered as part of the review of the Final Plat.

- Section 83.39 – Environmental Assessment (EA): A typical EA Checklist will review different elements of Land Development, Socioeconomic Conditions, Community Facilities/Services, Natural Features, and Other Factors all of which have been addressed by the Development Proposal already approved by the Village. Further, the Village had to apply for a boundary adjustment to the Urban Service Area from the Capital Area Regional Planning Commission (CARPC). Their application and review process also considered the same factors with a special emphasis on water quality. The Village Administrator/Clerk-Treasurer is required to make a determination regarding the format of the checklist and its completeness in order to be considered by the Plan Commission. The Development Proposal was reviewed and recommended for approval by the Plan Commission on January 4th. Due to its size, the document is not being provided as an exhibit in this review but is on file with the Village Clerk available upon request. A waiver is needed from this requirement for the Preliminary Plat noting that the prior approval of the Development Proposal meets the requirements of this section.

- Section 83.40 – Affidavit: The Surveyor's Certificate is provided for on the first page and is sufficient to meet the requirements of this section.

- Section 83.41 – Public Facilities and Services: The Village Board approved the Development Proposal on January 25th making the determination that there were adequate public facilities and services to support this subdivision if it were to be annexed. It is further determined that the Development Proposal is suitable to serve as the Impact Study in order to satisfy this requirement. The Development Proposal reviewed several dozen Annexation Factors designed to pre-determine the impacts of the development at the time of annexation prior to the plat's consideration. This looked at utility capacity, financial impact, effect on public safety, park needs, transportation network, and many other factors to determine the impact of the proposed annexation should it be brought forward later for platting. The Development Proposal was reviewed and recommended for approval as presented by the Plan Commission on January 4th. Due to its size, the document is not being provided as an exhibit in this review but is on file with the Village Clerk available upon request. A waiver is needed from this requirement for the Preliminary Plat noting that the prior approval of the Development Proposal meets the requirements of this section.

Land Division Design Standards (Appendix E)

Section 83.76 through 83.85 contain the design standards for the preparation of the Preliminary Plat. The project as presented thus far complies with these requirements but for the need for one variance as follows:

- Section 83.83 – Lots: Subsection (c) requires that residential lots maintain a minimum area of 9,600 square feet and a minimum width of 80 feet at the building line. Several of the proposed lots are of the SR-5 variety (Exhibit G) variety that allow for lower minimum standards. The Land Division code was adopted in 2013 as part of a recodification followed by the Zoning Code in 2014 where they have been found to be inconsistent with these requirements. A variance is needed from this requirement for the Preliminary Plat noting that the minimum lot requirements will defer to the zoning code, which are in compliance as presented.

Zoning

Village Ordinance #03-2016 will set the zoning for the property as listed in the notes of the Preliminary Plat and within the associated mapping for the Ordinance. A combination of two different residential zoning districts is being proposed plus some conservancy for areas designated for that purpose. Please note the following:

- (SR-4) Single Family Residential – 4 (Exhibit F): This is our most predominant residential district throughout the Village. It will allow for slightly larger lots that will generate bigger homes. Lots 7-27 will utilize this for homes while Lot 1 will be acquired by the Village for future public development, Outlot 1 dedicated to the Village for the management of stormwater for the development, and Outlot 4 dedicated to the Village for the management of stormwater from the environmental corridor.

- (SR-5) Single Family Residential – 5 (Exhibit G): Lots 2-6 and 28-44 will be zoned SR-5. This is our most dense option for residential housing within the zoning code. It currently exists in various pockets throughout the Village but mainly along Main Street. The lots will be a little smaller but still compatible with neighboring uses.

- (C) Conservancy (Exhibit H): Outlot 2 and 3 will zoned conservancy and dedicated to the public for conservation and trail development. These areas allow for future connections to neighboring properties for trail connections and conservancy growth as well as protect areas that are incompatible for construction.

A second map is also provided with the Ordinance as several overlay districts (Exhibit I) also apply to these properties as noted. Overlay districts provide an additional layer of protection for specifically sensitive areas as defined within the code. They are marked on the map and compatible with the uses planned forth with this development. A Public Hearing with a Class II Notice is required to be held prior to consideration of the ordinance. The Plan Commission will need to conduct its review and make a recommendation to the Plan Commission upon conclusion of the public hearing.

Next Steps

The Plan Commission is scheduled on March 7th to consider the Preliminary Plat and Zoning Ordinance in order to make a recommendation to the Village Board. The Plan Commission will have to consider several variances and waivers as part of their decision outlined in the Staff Report. The procedure for granting Variances and Waivers within the Land Division Chapter is outline in Section 83.120 (Exhibit J). A three-fourths affirmative vote (6 of 7 members) of the entire Plan Commission is required to recommend approvals of Variances and Waivers. The Village Board will consider the recommendation(s) of the Plan Commission and take action on these items following its review. Assuming the Preliminary Plat and Zoning Ordinance are ultimately adopted by both groups, the next item will be consideration for the Final Plat and Development Agreement beginning in April. All remaining steps including the proposed timeline area included as Exhibit K.

Recommendation

Village Staff recommends the Plan Commission consider the following two actions in making their recommendation to the Village Board following the conclusion of the public hearing and their review:

1. Approval of the Preliminary Plat as presented with the following variances and waivers:
    a. Variance from the display of the required parkland dedication on the plat as stipulated in Section 83.34(k)
    b. Variance from the requirement in Section 83.38 to submit an Erosion and Stormwater Drainage Control Plan noting that the civil engineering plans and specifications submitted as of February 15, 2016 (Exhibit D) are sufficient as part of the review of the Preliminary Plat and the review of the Erosion and Stormwater Drainage Control Plan will take place as part of the process for the Final Plat.
    c. Waiver of the Environmental Assessment Checklist listed in Section 83.39 stating that the requirements of this section were provided for in the Development Proposal approved by the Village Board on January 25, 2016.
    d. Waiver of the Impact Study listed in Sub-Section 83.41(b) stating that the requirements of this section were provided for in the Development Proposal approved by the Village Board on January 25, 2016.
    e. Variance from the minimum lot area size and building line width as listed in Sub-Section 83.83(c) stating that land use regulations will be controlled by Chapter 84 (Zoning Code) of the Village Code of Ordinances.

2. Approval of Ordinance #03-2016 setting the zoning for Glacier Ridge Subdivision.
    a. Contingent upon approval of the Final Plat for Glacier Ridge Subdivision.

Exhibits

Exhibit A – Glacier Ridge Preliminary Plat (March 1, 2016)

Exhibit B – Section 83.25 (Preliminary Plat Review)

Exhibit C – Section 83.33-83.41 (Preliminary Plat Requirements)

Exhibit D – Glacial Ridge Civil Engineering Plan Set (February 15, 2016)

Exhibit E – Section 83.76-83.85 (Design Standards)

Exhibit F – Section 84.29 (SR-4) Single Family Residential

Exhibit G – Section 84.30 (SR-5) Single Family Residential

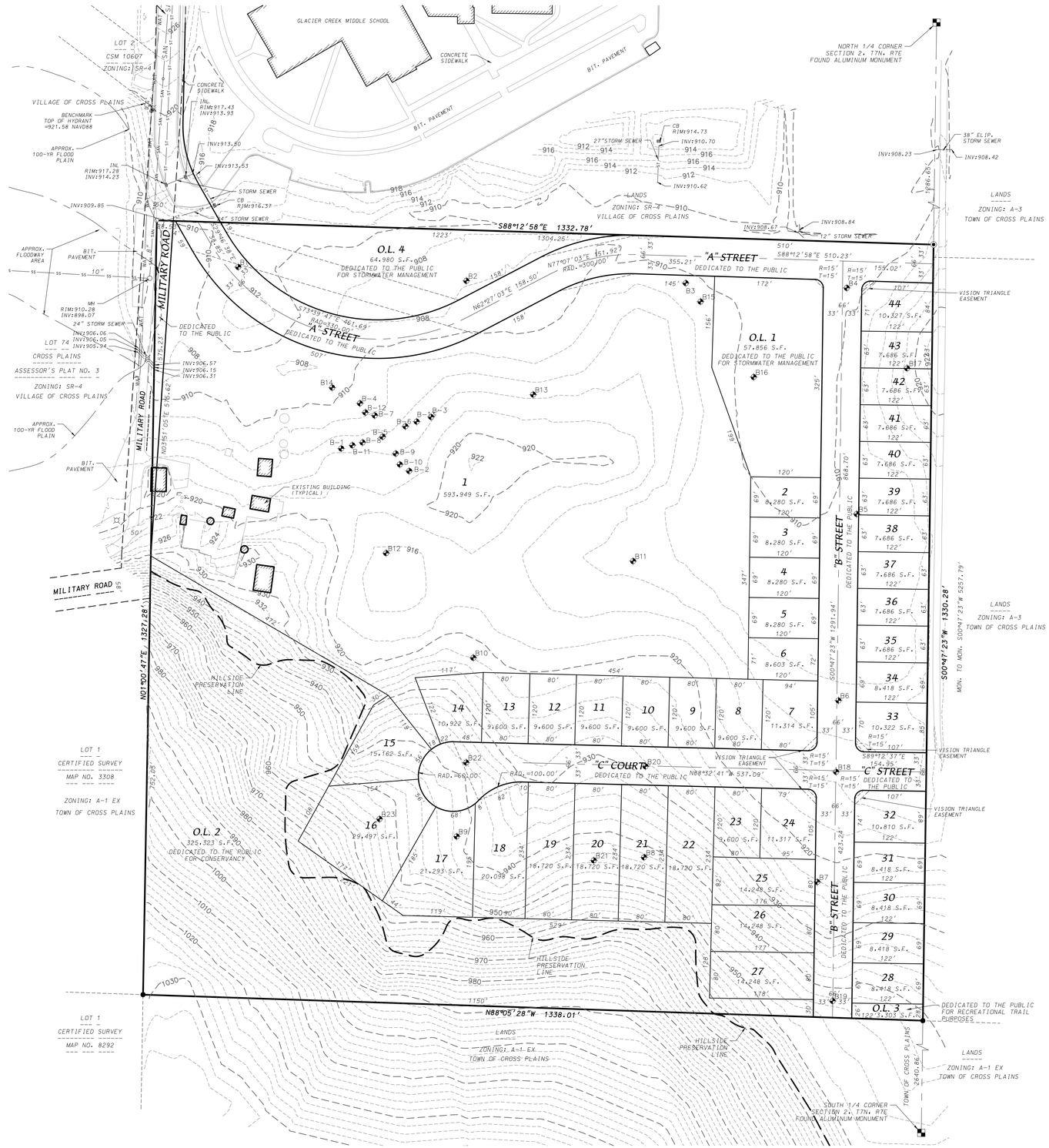
Exhibit H – Section 84.25 (C) Conservancy

Exhibit I – Article VI of the Zoning Code (Overlay Zoning Districts)

Exhibit J – Section 83.120 (Variances and Waivers)

Exhibit K – Proposed Timeline for Development Project Review

Exhibit A



LEGEND

- PLACED 3/4"X18" IRON REBAR (WT. = 1.5 LBS/FT
- FOUND 3/4" IRON REBAR
- FOUND 1" IRON PIPE
- B13 SOIL BORING
- SS SANITARY SEWER
- WAT WATER MAIN
- ST STORM SEWER
- CATCH BASIN/INLET
- MANHOLE
- HYDRANT
- LIGHT POLE

SURVEYOR'S CERTIFICATE

I, Brett T. Stoffregan, Registered Land Surveyor, S-2742, hereby certify that this preliminary plat is a true and correct representation of all the adjacent existing land divisions and of the boundary of the preliminary plat and features and that I have fully complied with the Village of Cross Plains Subdivision Ordinance and Chapter 236 of the Wisconsin Statutes.

Dated this 4th day of January, 2016

Brett T. Stoffregan, Registered Land Surveyor, S-2742

WISCONSIN BRETT T. STOFFREGAN S-2742 MADISON, WISCONSIN LAND SURVEYOR

LEGAL DESCRIPTION

A parcel of land located in the NE1/4 and the SE1/4 of the NW1/4 of Section 2, T7N, R7E, Town of Cross Plains, Dane County, Wisconsin to-wit: Commencing at the North 1/4 corner of said Section 2; thence S00°47'23"W, 1286.65 feet along the North/South line of said Section 2 to the point of beginning; thence continuing S00°47'23"W, 1330.28 feet along said North/South line; thence N88°05'28"W, 1338.01 feet to the Southeast corner of Lot 1, Certified Survey Map No. 3308; thence N01°00'47"E, 1327.28 feet along the East line of said Lot 1 and the Northerly extension thereof; thence S88°12'58"E, 1332.78 feet to the point of beginning. Subject to Military Road right-of-way. Containing 40.730 acres including Military Road right-of-way and 40.542 acres excluding Military Road right-of-way.

OWNER
Edith Buechner
c/O Janet Kernen
6590 Mill Race Trail
DeForest, WI 53532

LAND PLANNER
Vandewalle Associates, Inc.
120 East Lakeside
Madison, WI 53715

SUBDIVIDER
VH Cross Plains, LLC
6801 South Towne Drive
Madison, WI 53713

NOTES

1. Outlots 1 and 4 are dedicated to the public for stormwater management purposes.
2. Outlot 2 is dedicated to the public for conservancy purposes.
3. Outlots 3 is dedicated to the public for recreational trail purposes.
4. Existing Zoning: A-2
   Proposed Zoning: Lots 1, 7-27, Outlots 1 and 4: SR-4
   Lots 2-6, 28-44: SR-5
   Outlots 2 and 3: C
5. Entire parcel is currently in the Town of Cross Plains. Annexation into the Village of Cross Plains is being proposed.
6. Distances shown along curves are chord lengths.

D'ONOFRIO KOTTKE AND ASSOCIATES, INC.
7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

PRELIMINARY PLAT

GLACIER RIDGE

LOCATED IN THE NE1/4 AND THE SE1/4 OF THE NW1/4 OF SECTION 2, T7N, R7E, TOWN OF CROSS PLAINS, DANE COUNTY, WISCONSIN

THE NORTH/SOUTH LINE OF SECTION 2, T7N, R7E IS ASSUMED TO BEAR S00°47'23"W

SCALE: 1"= 100'

0 100

DATE: 01-04-16
REVISED:
01-27-16
02-05-16
02-17-16
03-01-16

DRAWN BY: BTS

FN: 15-07-123

Sheet Number:
1 of 1

U:/USER/1507123/DRAWINGS/1507123 PRELIMINARY PLAT.DWG

Exhibit B

separate, nonlapsing trust fund to be used for acquisition of land or initial improvements such as grading, landscaping, installation of utilities and playground equipment, construction of sidewalks, and installation and construction of restroom facilities to meet the needs created by the land division or subdivision.

SECTIONS 83.21 – 83.23 Reserved

PROCEDURE

SECTION 83.24 Preliminary Consultation.

Prior to the filing of an application for the approval of a preliminary plat, the subdivider shall consult with Village Staff. This consultation is intended to inform the subdivider of the purpose and objectives of these regulations, the Comprehensive Plan, and duly adopted plan implementation devices of the Village and to otherwise assist the subdivider in planning its development.

SECTION 83.25 Preliminary Plat Review.

Draft Submittal:

January 13th

(a) Before submitting a final plat for approval, the subdivider shall prepare a preliminary plat and a written application for approval and shall file 10 paper copies of the plat and the application with the Village Administrator/Clerk-Treasurer at least 30 days prior to the meeting of the Plan Commission at which action is desired. At the same time, the subdivider shall also file electronic copies of the documents with the Administrator/Clerk-Treasurer, Village Engineer and the Director of Public Facilities. The subdivider shall also forward a copy to the local electric and telephone utilities. When the subdivider expects the Village to act as the transmitting authority in accordance with Section 236.12, Wis. Stats., the application shall state that transmittal responsibility lies with the Village, shall contain a list of the other authorities to which the plat must be submitted, and shall be accompanied by such additional fees and copies of the plat as are necessary to be transmitted to such authorities.

Plat is all inclusive of property controlled by Developer.

(b) The preliminary plat shall cover the entire area owned or controlled by the subdivider even though only a small portion thereof is proposed for development at the time and shall be prepared in accordance with this chapter. ~~The Plan Commission may waive the requirement that the preliminary plat cover the entire area where it is unnecessary to fulfill the purpose of this chapter and undue hardship would result from strict application thereof. Where a subdivider has control of lands equal to or in excess of 80 acres separated only by existing public~~

~~roads or railroads, in lieu of a preliminary plat on the entire area, a comprehensive development plan may be submitted pursuant to this chapter.~~

Escrow balance is currently positive. All review services are paid in full. Platting fees will be deducted from escrow fund balance.

~~(c)~~ Before accepting any preliminary plat for filing and submittal to the Plan Commission, the Administrator/Clerk-Treasurer shall determine whether the preliminary plat and other filings required under this chapter are complete and comply with the requirements of this chapter as to form and whether all review fees and deposit moneys have been paid pursuant to this chapter. No preliminary plat shall be deemed to be filed until the Administrator/Clerk-Treasurer determines that the application is complete. After the Administrator/Clerk-Treasurer determines that the application has been properly filed, the Administrator/Clerk-Treasurer shall forward two copies of the preliminary plat to the Plan Commission which shall examine it for conformity with the requirements of this chapter and with the requirements of any other ordinance, statute or administrative rule and regulation and for compliance with the Comprehensive Plan and other applicable plans. Where appropriate, the Administrator/Clerk-Treasurer shall also forward a copy of the preliminary plat to the Village Engineer and/or Village Attorney for technical review. The Plan Commission, in its discretion, may, but is not required to, hold a public hearing on the preliminary plat.

(d) The Plan Commission shall recommend approval or conditional approval of the plat to the Village Board or shall reject the plat. ~~Consideration of the environmental assessment checklist pursuant to Section 83.39 hereof shall be part of the Plan Commission's review.~~ If approval or conditional approval is recommended, the preliminary plat shall be referred to the Village Board for consideration. The Village Board shall then approve, conditionally approve, or reject the preliminary plat. One copy of the plat shall be returned to the subdivider, its surveyor, or engineer with the date and action endorsed thereon, and, if approved conditionally or rejected, the conditions of approval or reasons for rejection shall be endorsed thereon or attached thereto. Unless the time is extended by written agreement between the subdivider and the Village, failure to complete the action herein required within 90 days of a completed filing of the preliminary plat shall constitute an approval of the preliminary plat.

Recommended for waiver.

(e) Approval or conditional approval of a preliminary plat entitles the final plat to approval provided that the final plat conforms substantially to the preliminary plat, including any conditions of that approval, and conforms to any applicable local plans and ordinances. If the final plat is not submitted within 36 months of the last required approval of the preliminary plat, any approving authority may refuse to approve the final plat regardless of prior action taken on the preliminary plat.

~~(f)~~ ~~Whenever a proposal to replat or resubdivide one or more recorded subdivisions, or any part of a recorded subdivision, is filed with the Plan Commission, it shall schedule and hold a public hearing on the proposed preliminary plat of the replat or resubdivision before taking action. The Commission shall mail notices of the proposed replat or resubdivision and of the scheduled hearing thereon at least 10~~

~~days prior to the time of such hearing to the owners of all properties adjacent to the proposed replat or resubdivision.~~

SECTION 83.26 Final Plat Review.

(a) The subdivider shall prepare and file eight copies of the final plat together with a written application for approval with the Village Administrator/Clerk-Treasurer within 36 months of the approval of the last required preliminary plat and at least 30 days prior to the meeting of the Village Plan Commission at which action is desired. At the same time, the subdivider shall file electronic copies of the documents with the Administrator/Clerk-Treasurer, the Village Engineer, and the Director of Public Facilities. When the subdivider expects the Village to act as the transmitting authority in accordance with Section 236.12, Wis. Stats., the application shall state that transmittal responsibility lies with the Village, shall contain a list of the other authorities to which the plat must be submitted, and shall be accompanied by such additional fees and copies of the plat as are necessary to be transmitted to such authorities.

(b) Before accepting any final plat for filing and submittal to the Plan Commission, the Administrator/Clerk-Treasurer shall determine whether the final plat and other filings required under this chapter are complete and comply with the requirements of this chapter as to form and whether all review fees and deposit moneys have been paid pursuant to this chapter. No final plat shall be deemed to be filed until the Administrator/Clerk-Treasurer determines that the application is complete. After the Administrator/Clerk-Treasurer determines that the application has been properly filed, the Village Administrator/Clerk-Treasurer shall forward two copies of the plat to the Plan Commission. The Plan Commission shall examine it for conformity with the preliminary plat and any conditions of approval, with the requirements of this chapter, and with the requirements of any other ordinances, statutes, administrative rules and regulations, or local plans which may be applicable to it. Where appropriate, the Administrator/Clerk-Treasurer shall also forward a copy of the plat and related documents to the Village Engineer and/or Village Attorney for technical review.

(c) The Plan Commission shall recommend approval of the final plat to the Village Board or shall reject the plat. If approval is recommended, the final plat shall be referred to the Village Board for consideration. The Village Board shall then approve, conditionally approve, or reject the final plat. As part of the approval process, a professional engineer, a planner, or another person charged with the responsibility to review plats shall provide the Village Board with his or her conclusions as to whether the final plat conforms substantially to the preliminary plat and with his or her recommendation on approval of the final plat. The conclusions and recommendation shall be made a part of the record of the proceeding at which the final plat is being considered and are not required to be submitted in writing.

A zero lot line land division designed to put each dwelling unit of a side-by-side duplex, townhouse, or row house where the lot line will be placed along the common wall or walls may be approved by Village staff without Plan Commission or Village Board approval, provided that it is on a properly zoned lot. If approved by Village staff, the owner shall record a zero lot line agreement that is satisfactory to the Village.

SECTIONS 83.31 – 83.32 Reserved.

PRELIMINARY PLAT

SECTIONS 83.33 General Requirements.

A preliminary plat shall be required for all subdivisions and shall be based upon a survey by a land surveyor registered in this state. At the discretion of the Plan Commission, a preliminary plat may be required for a land division which presents special development issues. A preliminary plat shall be prepared on paper of good quality capable of clearly legible reproduction at a scale of not more than 100 feet to the inch and shall show correctly on its face the following information:

(a) Title under which the proposed subdivision is to be recorded.
(b) Location of proposed subdivision by government lot, quarter-quarter section, township, range, county, and state and a location map showing the relationship between the plat and its surrounding area and to existing streets.
(c) Date, scale and North point.
(d) A description of the material of which the corner marker is composed.
(e) Names and addresses of the owner, the subdivider, the surveyor, the engineer, and the professional land planner involved in the plat preparation.
(f) The entire area contiguous to the proposed plat owned or controlled by the subdivider shall be included on the preliminary plat even though only a portion of said area is proposed for immediate development. The Village Plan Commission may waive this requirement where a comprehensive development plan has been previously approved and recorded for the area and where it is otherwise unnecessary to fulfill the purposes and intent of this chapter and undue hardship would result from strict application thereof.
(g) The present zoning and any proposed zoning change for the plat and all lands adjacent thereto.
(h) Location and elevation of any land situated in a floodplain.

SECTION 83.34 Plat Data.

All preliminary plats shall show the following:

(a) Exact length and bearing of the exterior boundaries of the proposed subdivision referenced to a corner established in U.S. Public Land Survey and the total acreage encompassed thereby.

(b) Contours at vertical intervals of not more than two feet where the slope of the ground surface is less than 20% and of not more than five feet where the slope of the ground surface is 20% or more. Elevations shall be marked on such contours based on USGS data.

(c) Water elevations of adjoining lakes and streams at the date of the survey and approximate high- and low-water elevations, based upon or established by the best available data.

(d) Location, right-of-way width and names of all existing streets, alleys or other public ways, easements, railroad and utility rights-of-way and all section and quarter-section lines within the exterior boundaries of the plat or immediately adjacent thereto.

(e) Location and names of any adjacent subdivisions, parks and cemeteries, and owners of record of abutting unplatted lands.

(f) Type, width and elevation of any existing street pavements within the exterior boundaries of the plat or immediately adjacent thereto together with any legally established center-line elevations, based upon or established by the best available data.

(g) Location, size and invert elevation of any existing sanitary or storm sewers, culverts and drainpipes; the location of manholes, catch basins, hydrants, and power and telephone poles; and the location and size of any existing water and gas mains within the exterior boundaries of the plat or immediately adjacent thereto. If no sewers or water mains are located on or immediately adjacent to the tract, the nearest such sewers or water mains which might be extended to serve the tract shall be indicated by their direction and distance from the tract, size, and invert elevations.

(h) Locations of all existing property boundary lines, structures, drives, streams and watercourses, marshes, rock outcrops, wooded areas, railroad tracks and other similar significant features within the tract being subdivided or immediately adjacent thereto.

(i) Location, width, length, bearing and names of all proposed streets and public rights-of-way, such as alleys and easements.

(j) Any proposed lake and stream improvement or relocation.

(k) Location and approximate dimensions of any sites to be reserved or dedicated for parks, playgrounds, drainageways, or other public use or which are to be used for group housing, shopping centers, church sites, or other nonpublic uses not requiring lotting.

(l) When a street is on a circular curve, the main chords of the right-of-way lines shall be drawn as dotted or dashed lines in their proper places. All curved lines shall show, either on the lines or in an adjoining table, the radius of the circle, the central angle subtended, the chord bearing, the chord length and the arc length for

A variance from the display of the required Parkland Dedication on the plat is needed as part of the approval for the Preliminary Plat. Parkland is being dedicated and included within Lot #1 to be acquired by the Village.

each segment. The tangent bearing shall be shown for each end of the main chord for all circular lines. When a circular curve of thirty-foot radius or less is used to round off the intersection between two straight lines, it shall be tangent to both straight lines, and in such event, it is sufficient to show on the plat the radius of the curve and the tangent distances from the points of curvature to the point of intersection of the straight lines.

(m) Existing zoning on and adjacent to the proposed subdivision when the plat is located within the extraterritorial plat approval jurisdiction of the Village.

(n) Corporate limits lines.

(o) Any proposed lake and stream access with a small drawing clearly indicating the location of the proposed subdivision in relation to the access.

(p) Approximate dimensions and setback lines shall be shown for all lots and outlots together with proposed lot, outlot and block numbers.

(q) Any other information requested by the Plan Commission or Village Board.

SECTION 83.35 Street and Utility Plans and Profiles.

The subdivider shall provide street and utility plans and profiles showing existing ground surface, established and proposed grades and locations for streets and public sanitary sewers, storm sewers and water mains, including extensions for a reasonable distance beyond the limits of the proposed subdivision when requested. All elevations shall be based upon USGS data, and plans and profiles shall meet the approval of the Village Engineer. See Exhibit D for more details.

SECTION 83.36 Testing.

(a) The Village Engineer may require, and where sanitary sewers are unavailable shall require, that borings and soundings be made in specified areas to ascertain subsurface soil, rock and water conditions, including depth to bedrock and depth to groundwater table.

(b) Where sanitary sewers are unavailable, the soil and percolation tests required by Ch. SPS 385, Wis. Adm. Code, shall be performed and the results shall be submitted with the preliminary plat. After approval of the preliminary plat but prior to submitting an application for approval of the final plat, each individual lot shall be tested for percolation as specified in Ch. SPS 383, Wis. Adm. Code, and the results of such tests shall be submitted to the Plan Commission.

SECTION 83.37 Covenants.

The Village Plan Commission may require submission of a draft of protective covenants whereby the subdivider intends to regulate land use in the proposed subdivision and otherwise protect the proposed development. Not required at this stage but will be provided for review with the Final Plat.

SECTION 83.38 Erosion and Stormwater Drainage Control Plan.

At the time application is made for the review of a preliminary plat, the subdivider shall also file with the Village Administrator/Clerk-Treasurer 10 copies of a proposed erosion and stormwater drainage control plan for the area contemplated for development. The proposed erosion and stormwater drainage control plan shall comply with the requirements of Chapter 65 of this Code and with this chapter. The erosion and stormwater drainage control plan shall require the owner(s) of the area contemplated for development to execute and record restrictive covenants applicable to the property, subject to the approval of the Village Attorney, requiring that all improvements be constructed and maintained such that water runoff from roofs and drainage or discharge from sump pumps will be diverted to grassy areas and not to streets, sidewalks or other paved areas.

Otherwise known as a Stormwater Mgmt Plan, which is not yet complete. Exhibit D outlines the utility plans and specs for Stormwater. Variance required.

SECTION 83.39 Environmental Assessment.

(a) **Environmental Assessment Checklist.** At the time application is made for the review of a preliminary plat or comprehensive development plan, the subdivider shall also file with the Village Administrator/Clerk-Treasurer 10 copies of a completed environmental assessment checklist on the form made available by the Village Administrator/Clerk-Treasurer. At the same time, the subdivider shall file electronic copies of the document with the Administrator/Clerk-Treasurer, the Village Engineer, and the Director of Public Facilities. No application for a preliminary plat or comprehensive development plan shall be deemed complete until the completed environmental assessment checklist is filed. The purpose of the environmental assessment checklist is to provide information necessary for reviewing the proposed division's impact on the environment, for determining the land's suitability for division and to otherwise further the purposes set forth in Section 83.02 of this chapter and Section 236.45(1), Wis. Stats., and the Village's Comprehensive Plan.

(b) **Determination of Need for Expanded Environmental Assessment.** The environmental assessment checklist shall be reviewed by the Plan Commission. The Plan Commission may decide that the preliminary environmental assessment raises significant or unanswered questions regarding the impact of the proposed land division on the environment and/or that review by other committees and commissions is required. The Plan Commission may also request input from other governmental agencies. If the Plan Commission determines that an expanded environmental assessment is warranted, it shall notify the subdivider in writing of the specific questions and/or areas in which further information is required and set

The Development Proposal adopted by the Village in January satisfies the requirements for this section; however, a waiver for this requirements as part of the approval for the Preliminary Plat is needed.

a reasonable date for the return of the requested information. It may also specify the format in which the information is to be presented. Failure to respond adequately or timely to the Commission's request for additional information may constitute grounds to reject and/or conditionally approve the preliminary plat or comprehensive development plan.

(c) **Review.** The Plan Commission shall review the environmental assessment report, with supporting data, department and committee reviews and any other data required for determining the suitability of the land for the proposed development. The Plan Commission shall decide whether said land is suitable for development and whether such subdivision is consistent with the purposes of this chapter and other Village ordinances, Section 236.45, Wis. Stats., and the Village's Comprehensive Plan and shall then proceed as required by this Chapter.

SECTION 83.40 Affidavit.

The surveyor preparing the preliminary plat shall certify on the face of the plat that it is a correct representation of all existing land divisions and features and that he has fully complied with the provisions of this chapter and Ch. 236, Wis. Stats.

SECTION 83.41 Public Facilities and Services.

(a) **Determination of Adequacy.** A preliminary plat or comprehensive development plan shall not be approved unless the Village Board, after recommendation from the Plan Commission, reviews the development's impact on public facilities and services and determines that adequate public facilities and public services are available to meet the needs of the proposed development.

(b) **Impact Study.**

(1) An impact study shall be required for any preliminary plat or comprehensive development plan containing either 10 or more lots or five or more acres. The subdivider shall be responsible for preparation of the impact study, and the impact study shall be filed at the time application is made. No application for preliminary plat approval will be complete until the Village Administrator/Clerk-Treasurer has determined that the impact study is complete and in acceptable form.

(2) The impact study shall describe the impact of the proposed development on the following public facilities and shall analyze the adequacy of the following public facilities to serve the proposed development: public water; sanitary sewer; storm sewer and other public stormwater drainage facilities; fire, police and emergency medical facilities; parks, open space and recreation facilities; transportation facilities; and school facilities.

The Development Proposal adopted by the Village in January satisfies the requirements for this section; however, a waiver for this requirements as part of the approval for the Preliminary Plat is needed.

(3) The Plan Commission and Village departments shall cooperate with the subdivider by providing information in the Village's possession regarding the Village's public facilities. The Plan Commission may have its own consultants, including but not limited to Village staff and the Village's Engineer, review the impact study and prepare their own evaluation of the adequacy of public facilities to serve the proposed development. If the Plan Commission concludes that the subdivider's impact study is inadequate or inaccurate, the Plan Commission may reject the subdivider's impact study. Any rejection of a subdivider's impact study shall be accompanied by a description of the reason or reasons for the rejection.

SECTIONS 83.42 – 83.44 Reserved

FINAL PLAT

SECTION 83.45 General Requirements.

A final plat prepared by a land surveyor registered in this state shall be required for all subdivisions. It shall comply in all respects with the requirements of Section 236.20, Wis. Stats., and with this chapter.

SECTION 83.46 Information to be Provided.

The plat shall show correctly on its face, in addition to the information required by Section 236.20, Wis. Stats., and Sections 83.33 through 83.35 hereof, the following:

(a) Exact length and bearing of the center line of all streets.
(b) Exact street width along the line of any obliquely intersecting street.
(c) Railroad rights-of-way within and abutting the plat.
(d) Setbacks or building lines required by the Village Plan Commission.
(e) All lands reserved for future public acquisition or reserved for the common use of property owners within the plat.
(f) Special restrictions required by the Village Plan Commission relating to access control along public ways or to the provision of planting strips.
(g) The house number or rural fire number assigned to each lot.

SECTION 83.47 Drainage Flows.

The subdivider shall cause to be set upon the face of the plat, or included within the master grading plan, arrows along each street as will result from the grading of the site, the construction of the required public improvements, or which are existing drainage flows and will remain. The arrows indicating the directions off flows shall be

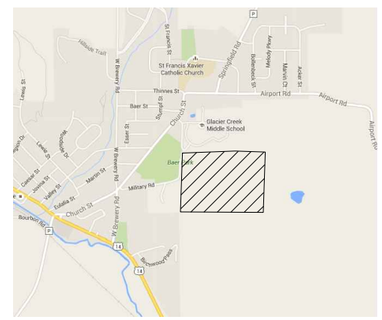
Exhibit D

80% PLAN SET

GLACIER RIDGE

VILLAGE OF CROSS PLAINS
DANE COUNTY, WISCONSIN

Sheet List Table	
Sheet Number	Sheet Title
1 OF X	COVER
2 OF X	GRADING & EROSION CONTROL
3 OF X	DETAILS
4 OF X	DETAILS
5 OF X	DETAILS
6 OF X	DETAILS
7 OF X	MILITARY ROAD
8 OF X	MILITARY ROAD
9 OF X	MILITARY ROAD
10 OF X	STREET B
11 OF X	STREET B
12 OF X	STREET B
13 OF X	STREET C
14 OF X	STREET C



PROJECT LOCATION

D'ONOFRIO KOTTKE AND ASSOCIATES, INC.

7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

FN: 15-05-168

ISSUE DATE: 2/15/16

SHEET 1 OF X

D'ONOFRIO KOTTKE AND ASSOCIATES, INC.
7530 Westward Way, Madison, WI 53717
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YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

COVER

GLACIER RIDGE

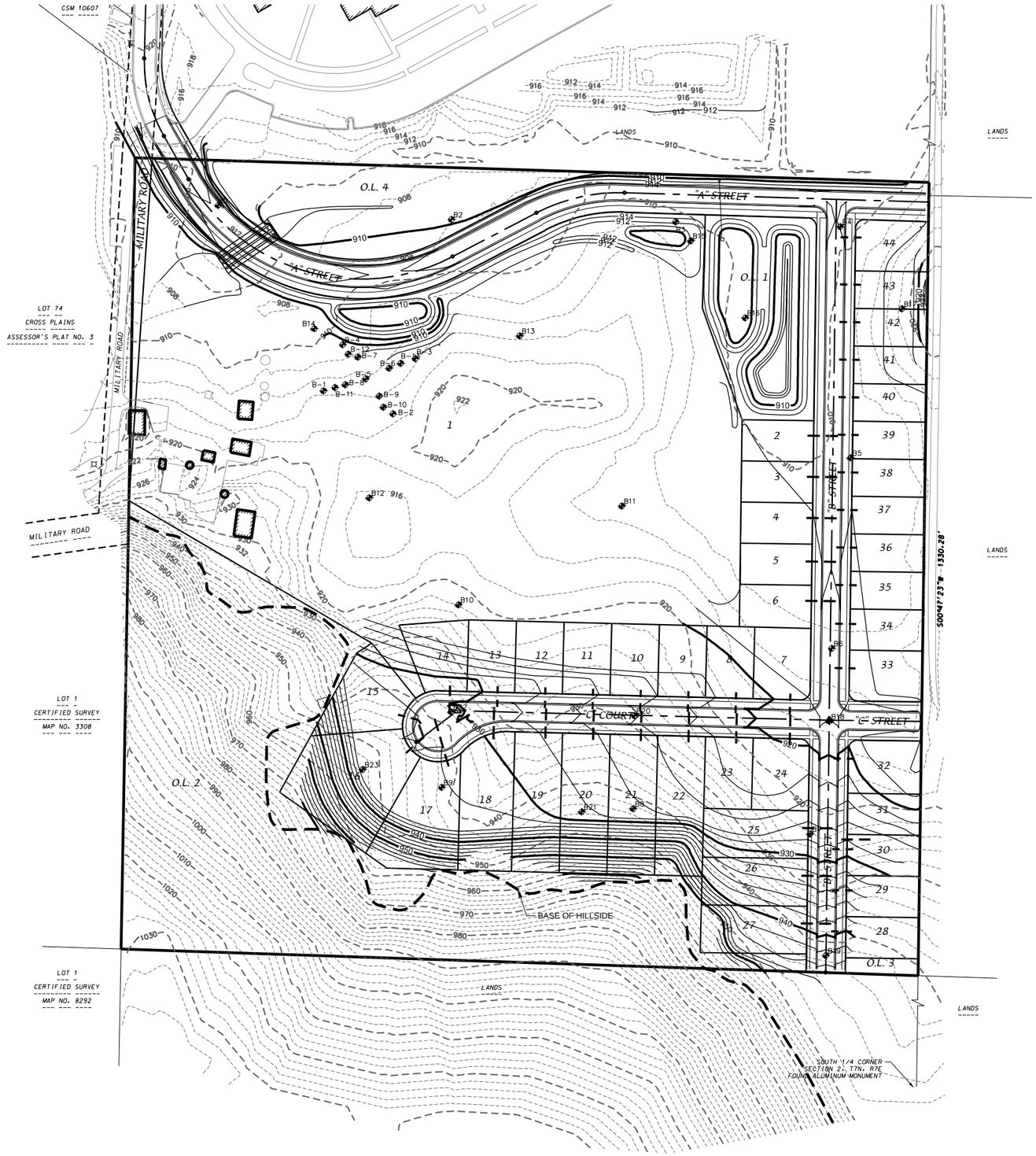
VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN

DATE: 2/15/16

DRAWN BY: KWB

FN: 15-05-168

Sheet Number:
1 OF X



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GRADING & EROSION CONTROL

GLACIER RIDGE

VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN

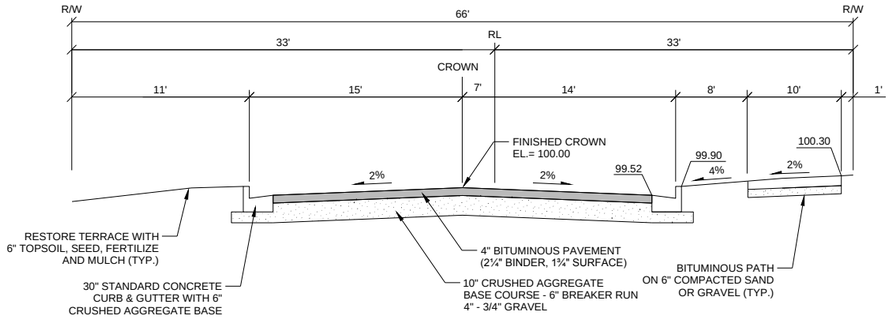
SCALE: 1"= 60'
(PAGE SIZE: 11x17)
0 30

DATE: 2/15/16

DRAWN BY: KWB

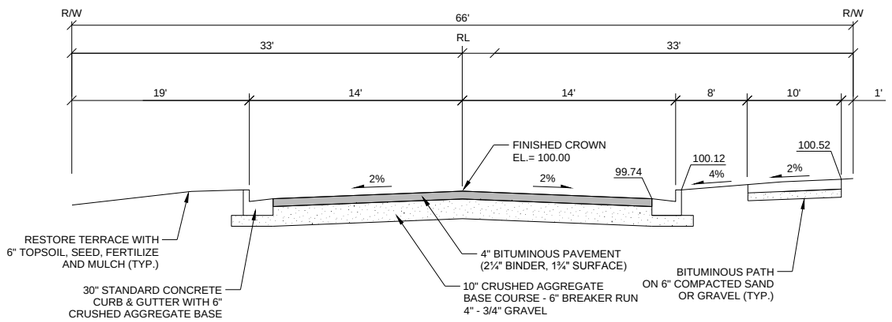
FN: 15-05-168

Sheet Number:
2 OF X



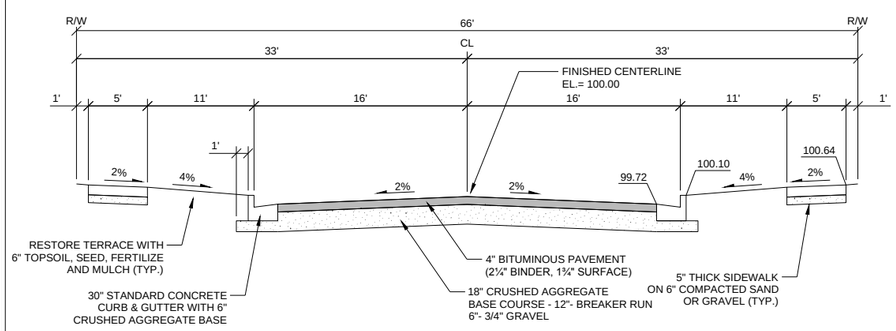
TYPICAL FINISHED SECTION - 66' R.O.W.

MILITARY ROAD ALONG PARK FRONTAGE



TYPICAL FINISHED SECTION - 66' R.O.W.

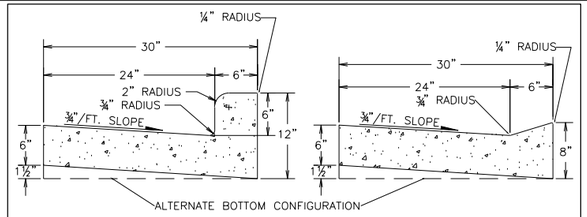
MILITARY ROAD ALONG STORMWATER FRONTAGE



* FINAL FINISHED SECTION
TO BE DETERMINED

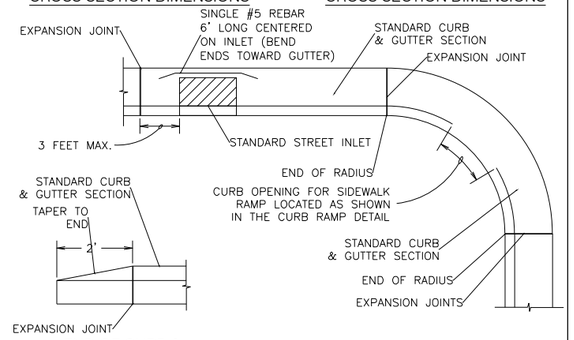
TYPICAL FINISHED SECTION

STREET B AND STREET C



STANDARD CURB & GUTTER
CROSS SECTION DIMENSIONS

DRIVE-OVER CURB & GUTTER
CROSS SECTION DIMENSIONS



END OF CURB &
GUTTER DETAIL

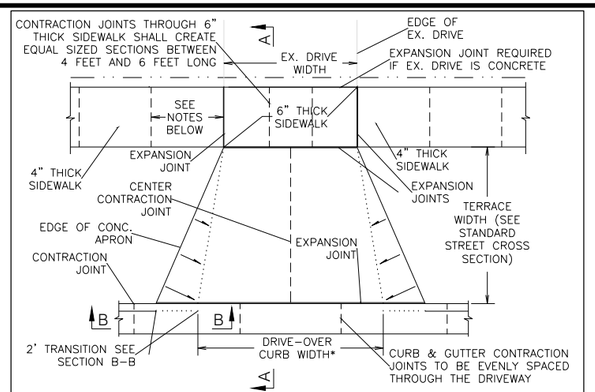
RADIUS & STREET INLET PLAN VIEW

NOTES:
1.) CONTRACTION JOINTS SHALL BE PLACED EVERY 6 TO 12 FEET AND AT LOCATIONS SHOWN IN THE CURB RAMP AND DRIVEWAY DETAILS.
2.) EXPANSION JOINTS SHALL BE PLACED AT EVERY END OF RADIUS, 3 FEET ON ONE SIDE OF EACH STREET INLET AND AT INTERVALS NOT TO EXCEED 300 FEET.

CONCRETE CURB & GUTTER DETAILS

DETAIL 02522–A

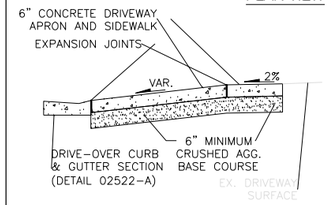
DWG FILE	DESCRIPTION	LAST REVISED
02522–A	C&G DETAILS – 30"	2/4/99 TLS



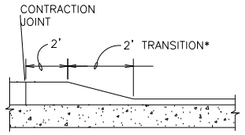
NOTES: – 6" THICK WALK WIDTH SHALL BE EQUAL TO THE EX. DRIVE WIDTH OR A MINIMUM OF 12' CENTERED ON THE EX. DRIVE. THE DRIVE–OVER CURB WIDTH SHALL BE EQUAL TO THE 6" THICK WALK WIDTH PLUS 2', CENTERED ON THE EX. DRIVE.

– CONTRACTION JOINTS IN 4" THICK SIDEWALKS SHALL BE PLACED EVERY 5'. EXPANSION JOINTS SHALL BE PLACED AT INTERVALS NOT TO EXCEED 96 FEET.

PLAN VIEW



SECTION A-A



*A 4' TRANSITION IS REQUIRED IF THE TERRACE WIDTH IS LESS THAN 4 FEET

SECTION B-B

DRIVEWAY DETAILS

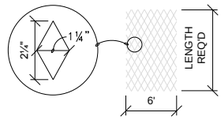
DETAIL 02521–A

DWG FILE	DESCRIPTION	LAST REVISED
02521–A.DWG	DRIVE– C&G &WALK	01/10/06 JLJ

NOTES:
– CURB RAMP SLOPE SHALL BE 1:12 OR FLATTER.

– TEXTURED SURFACE SHALL EXTEND FROM THE CURB & GUTTER SECTION TO THE TRANSVERSE CONTRACTION JOINT AND SHALL BE ¼" TO ⅜" DEEP.

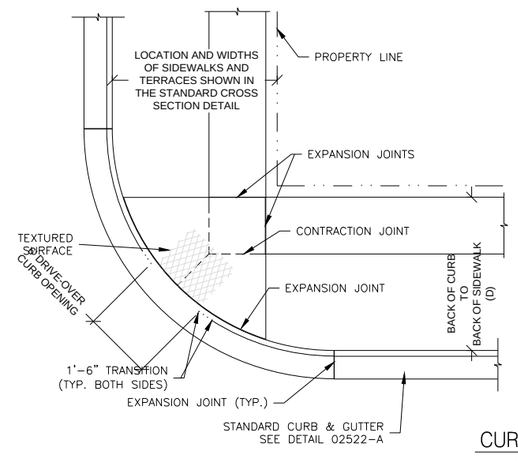
– CONTRACTION JOINTS IN THE CONCRETE CURB & GUTTER SHALL BE EVENLY SPACED EVERY 6–12 FEET.



TEXTURE PATTERN

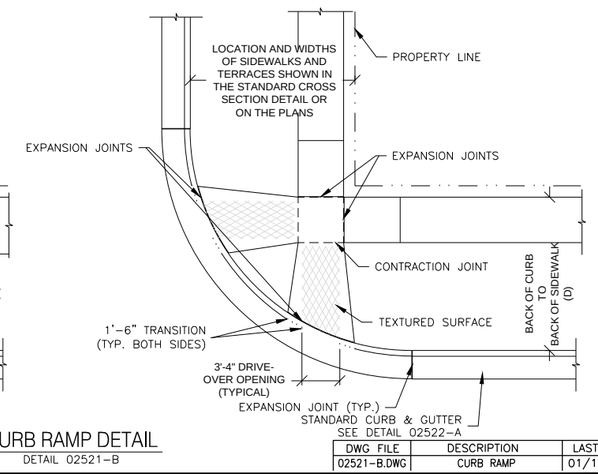
TYPE 1 CURB RAMP

– FOR USE WHEN THE DISTANCE FROM THE BACK OF THE CURB TO THE BACK OF THE SIDEWALK (D) IS LESS THAN 12 FEET.



TYPE 2 CURB RAMP

– FOR USE WHEN THE DISTANCE FROM THE BACK OF THE CURB TO THE BACK OF THE SIDEWALK (D) IS GREATER THAN OR EQUAL TO 12 FEET.



CURB RAMP DETAIL

DETAIL 02521–B

DWG FILE	DESCRIPTION	LAST REVISED
02521–B.DWG	CURB RAMP	01/10/06 JLJ

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YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

DETAILS

GLACIER RIDGE

VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN

SCALE: 1" = 1'

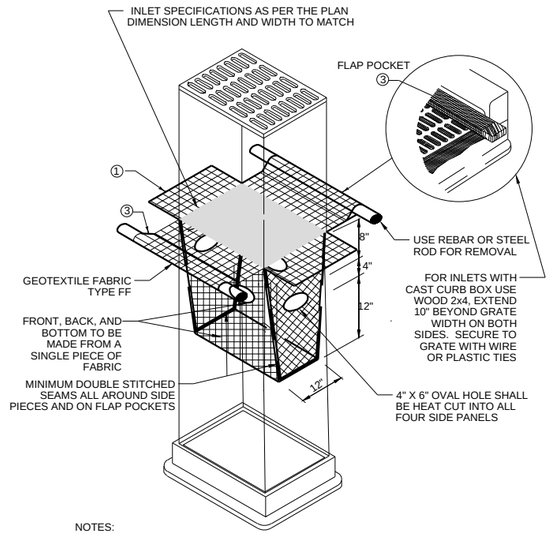
DATE: 2/15/16

DRAWN BY: KWB

FN: 15-05-168

Sheet Number:

3 OF X

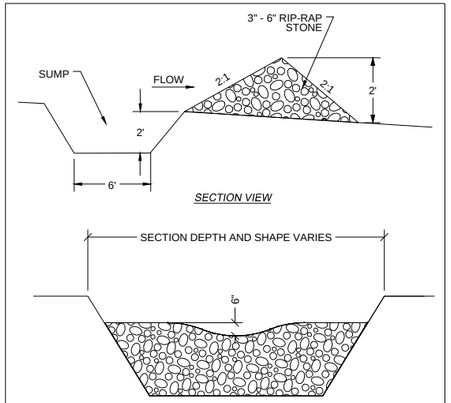


NOTES:

1. FINISHED SIZE, INCLUDING FLAP POCKETS WHERE REQUIRED, SHALL EXTEND A MINIMUM OF 10" AROUND THE PERIMETER TO FACILITATE MAINTENANCE OR REMOVAL.
2. FOR INLET PROTECTION, TYPE C (WITH CURB BOX), AN ADDITIONAL 18" OF FABRIC IS WRAPPED AROUND THE WOOD AND SECURED WITH STAPLES. THE WOOD SHALL NOT BLOCK THE ENTIRE HEIGHT OF THE CURB BOX OPENING.
3. FLAP POCKETS SHALL BE LARGE ENOUGH TO ACCEPT WOOD 2X4.

TYPE D INLET PROTECTION

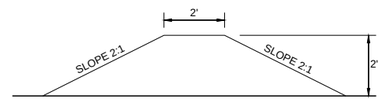
NOT TO SCALE



NOTES:
1) SUMP SHALL BE CLEANED OUT AND ALL PLUGGED ROCK REMOVED AND REPLACED AS NEEDED WHEN SUMP IS 50% FULL OF SEDIMENT.

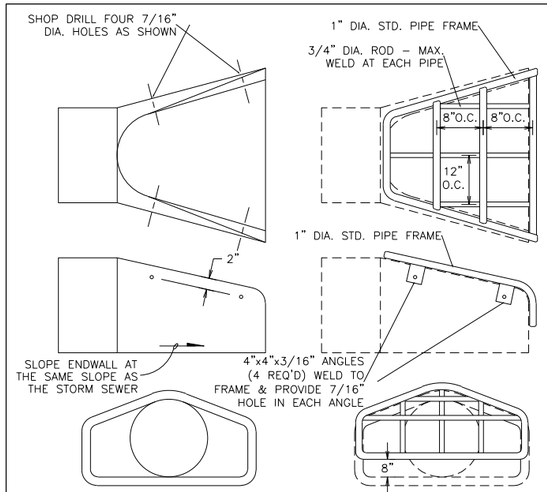
STONE WEEPER

NOT TO SCALE



EARTHEN BERM

NOT TO SCALE



ENDWALL DETAILS

PIPE GATE DETAILS

NOTES:
– THE CONTRACTOR SHALL BOLT THE PIPE GATE TO THE CONCRETE ENDWALL WITH FOUR 3/8"x6" MACHINE BOLTS WITH NUTS ON INSIDE WALL.

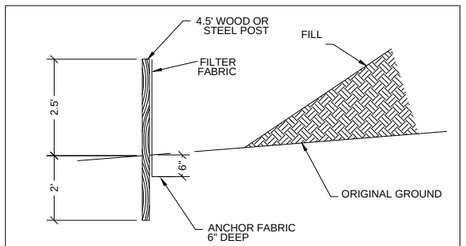
PAINTING SPECIFICATIONS:
– THE PIPE GATE SHALL RECEIVER THE FOLLOWING PREPARATION & PAINTING. THE FIRST COAT SHALL BE RUS–OLEUM X–60 RED BARE METAL PRIMER OR APPROVED EQUAL. THE SECOND COAT SHALL BE RUST–OLEUM 960 ZINC CHROMATE PRIMER OR APPROVED EQUAL. THE THIRD COAT SHALL BE RUS–OLEUM 1282 HIGH GLOSS METAL FINISH OR APPROVED EQUAL.

PREPARATION STEPS:
1. BARE METAL SURFACES – TREAT WITH THE THREE–COAT PAINTING SYSTEM LISTED AFTER A THOROUGH SCRAPING, WIRE BRUSHING & CLEANING.
2. EACH COAT OF PAINT SHALL BE APPLIED OVER THE ENTIRE GATE SURFACE.
3. ALLOW 24–48 HOURS DRYING TIME AT 60° OR ABOVE BETWEEN COATS.

STANDARD ENDWALL DETAILS

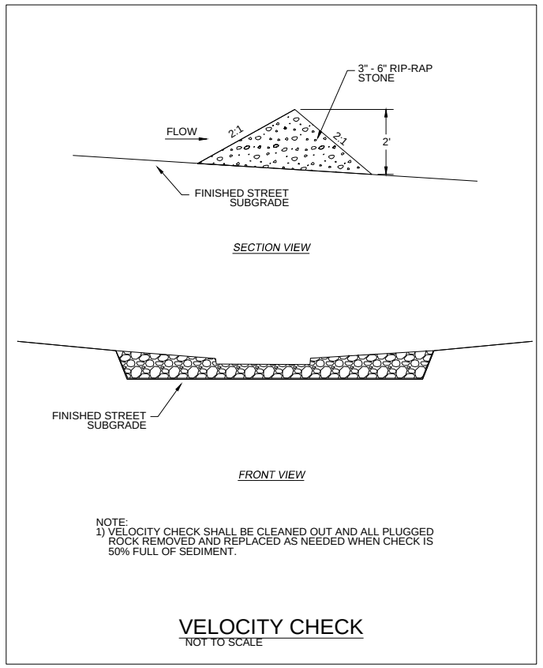
DETAIL 02721–C

DWG FILE	DESCRIPTION	LAST REVISED
02721–C.DWG	ENDWALL DETAILS	2/22/99 TLS



SILT FENCE DETAIL

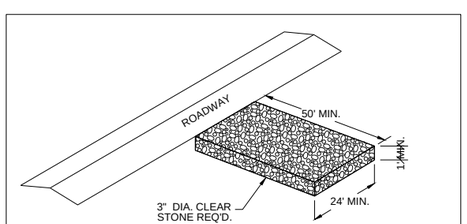
NOT TO SCALE



NOTE:
1) VELOCITY CHECK SHALL BE CLEANED OUT AND ALL PLUGGED ROCK REMOVED AND REPLACED AS NEEDED WHEN CHECK IS 50% FULL OF SEDIMENT.

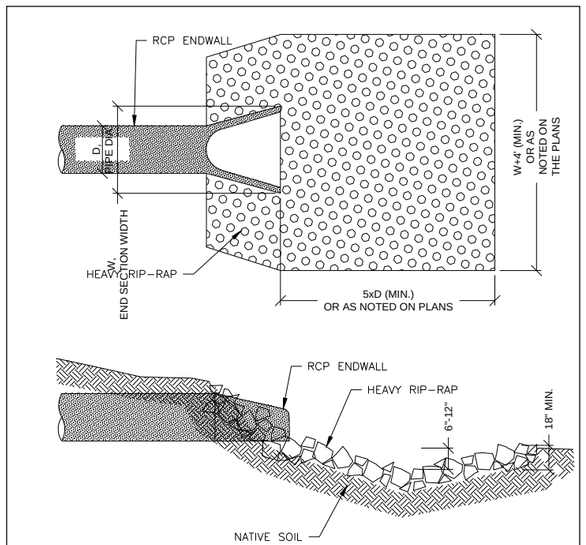
VELOCITY CHECK

NOT TO SCALE



STONE TRACKING PAD DETAIL

NOT TO SCALE



NOTE:

RIP–RAP SHALL BE A MINIMUM OF 2 C.Y. PER ENDWALL.

ENDWALL RIP-RAP DETAIL

DETAIL 02721–J

DWG FILE	DESCRIPTION	LAST REVISED
02721–J2.DWG	RIP–RAP ENDWALL DETAIL	01/05/06 JLJ

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DETAILS

GLACIER RIDGE

VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN

SCALE: 1"= 1'

DATE: 2/15/16

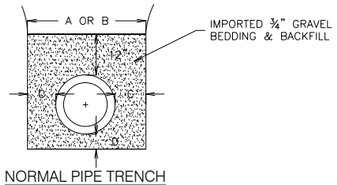
DRAWN BY: KWB

FN: 15-05-168

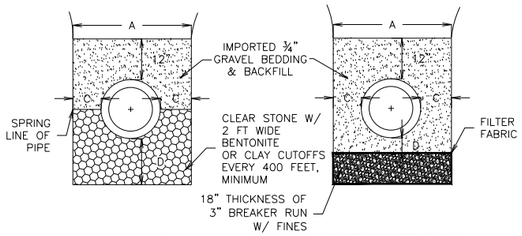
Sheet Number:

4 OF X

DIMENSIONS:
- A: OUTSIDE DIAMETER OF PIPE PLUS 24" MAXIMUM, EXCEPT NEED NOT BE LESS THAN 36". TRENCH SHIELDS NARROWER THAN 4 FEET INSIDE WIDTH WILL NOT BE REQUIRED UNLESS SPECIFICALLY REQUIRED IN THE PROJECT SPECIFICATIONS.
- B: FOR ROCK, OUTSIDE DIAMETER OF PIPE PLUS 18" MAXIMUM, EXCEPT NEED NOT BE LESS THAN 36".
- C: MINIMUM – 6"
- D: MINIMUM 4" BELOW BARREL AND 3" BELOW BELL



NORMAL PIPE TRENCH



WET TRENCH WITH SUMP DEWATERING

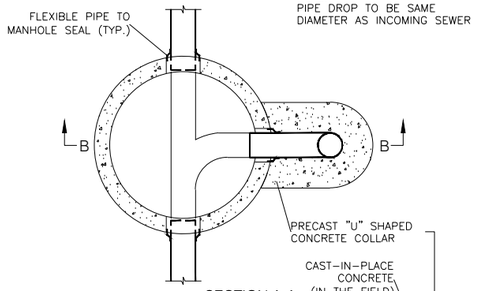
UNSTABLE TRENCH

TRENCH WIDTH AND BEDDING DETAILS

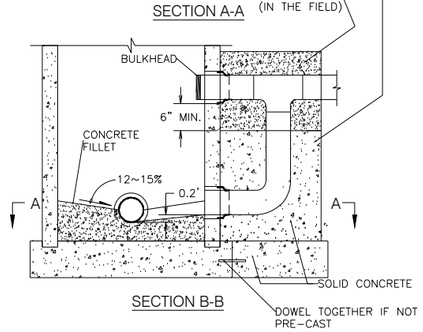
DETAIL 02221–A

DWG FILE	DESCRIPTION	LAST REVISED
02221–A2	TRENCHES	11/04/09 JLJ

NOTE:
PIPE DROP TO BE SAME DIAMETER AS INCOMING SEWER



SECTION A-A

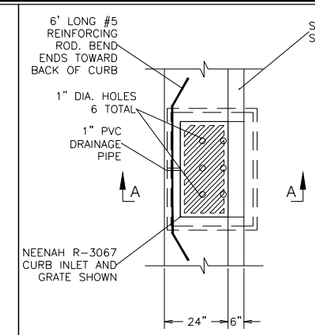


SECTION B-B

DROP MANHOLE ENTRANCE

DETAIL 02601–B

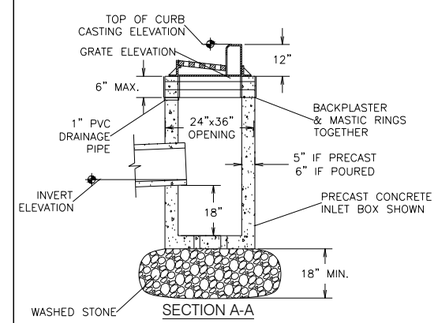
DWG FILE	DESCRIPTION	LAST REVISED
02601–B.DWG	DROP MH DETAIL	09/17/02 JLJ



PLAN VIEW

STANDARD CURB SECTION SEE DETAIL 02522–A

NOTES:
- TOP OF CURB AND PIPE INVERT ELEVATIONS ARE SHOWN ON THE PLANS.
- THE GRATE ELEVATION SHALL BE DEPRESSED 0.1' FROM STRAIGHT GUTTER GRADE STARTING 5' FROM THE INLET AND EXTENDING IN BOTH DIRECTIONS.
- THE CASTING SHALL BE NEENAH FOUNDRY R-3067 CURB INLET WITH REVERSIBLE GRATES WHERE RUNOFF REACHES THE INLET FROM BOTH DIRECTIONS. WHERE RUNOFF REACHES THE INLET FROM ONE DIRECTION A NEENAH R-3067-L CASTING SHALL BE USED. DIRECTIONAL SLOTS TO BE LOCATED TO DIRECT THE FLOW INTO THE STREET INLET.
- MASTIC BETWEEN RINGS AND BACKPLASTER A SMOOTH LAYER OF GROUT OVER THE ENTIRE INNER AND OUTER SURFACES OF THE RINGS.

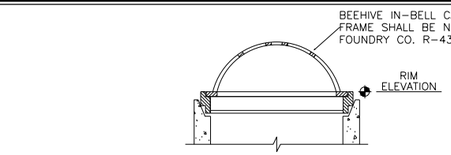


SECTION A-A

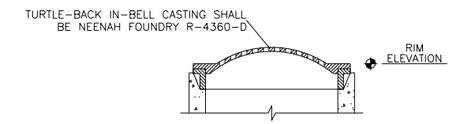
RECTANGULAR CURB CATCH BASIN DETAIL

DETAIL 02721–P

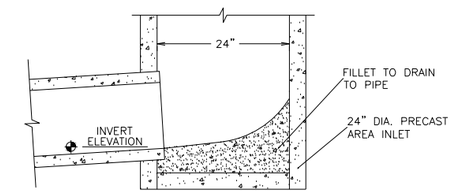
DWG FILE	DESCRIPTION	LAST REVISED
02721–P.DWG	STD. CATCH BASIN	12/28/04 JLJ



AREA INLET WITH BEEHIVE CASTING



AREA INLET WITH TURTLE-BACK CASTING

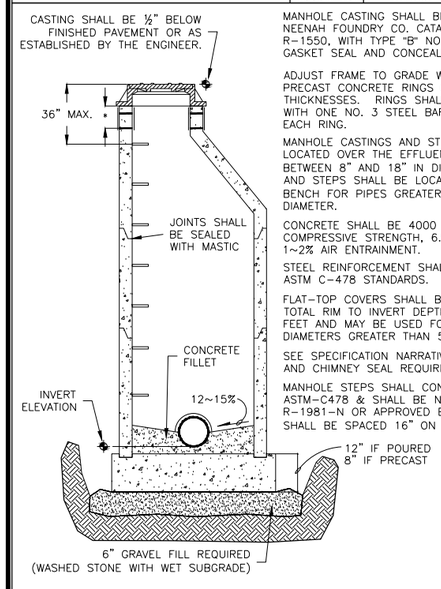


AREA INLET BOTTOM SECTION

AREA INLET DETAIL

DETAIL 02721–B

DWG FILE	DESCRIPTION	LAST REVISED
02721–B.DWG	AREA INLET DETAIL	3/3/99 TLS



* A MINIMUM OF 3" TO A MAXIMUM OF 9" OF ADJUSTING RINGS SHALL BE USED TO ADJUST THE MANHOLE CASTING TO THE FINISHED GRADE. ALL RINGS SHALL BE SEALED TOGETHER USING MASTIC AND ALL JOINTS SHALL BE BACK PLASTERED INSIDE AND OUT WITH CEMENT MORTAR.

MANHOLE CASTING SHALL BE HEAVY DUTY, NEENAH FOUNDRY CO. CATALOG LISTING NO. R-1550, WITH TYPE "B" NON-ROCKING LID, GASKET SEAL AND CONCEALED PICKHOLES.

ADJUST FRAME TO GRADE WITH AT LEAST TWO PRECAST CONCRETE RINGS OF DIFFERENT THICKNESSES. RINGS SHALL BE REINFORCED WITH ONE NO. 3 STEEL BAR CENTERED WITHIN EACH RING.

MANHOLE CASTINGS AND STEPS SHALL BE LOCATED OVER THE EFFLUENT PIPE FOR PIPES BETWEEN 8" AND 18" IN DIAMETER. CASTINGS AND STEPS SHALL BE LOCATED OVER THE BENCH FOR PIPES GREATER THAN 18" IN DIAMETER.

CONCRETE SHALL BE 4000 PSI, 28 DAY COMPRESSIVE STRENGTH, 6.5 BAG MIX WITH 1~2% AIR ENTRAINMENT.

STEEL REINFORCEMENT SHALL CONFORM TO ASTM C-478 STANDARDS.

FLAT-TOP COVERS SHALL BE USED WHERE THE TOTAL RIM TO INVERT DEPTH IS LESS THAN 6 FEET AND MAY BE USED FOR MANHOLE DIAMETERS GREATER THAN 5 FEET.

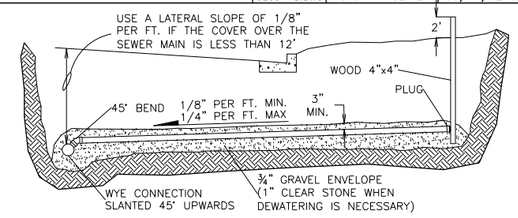
SEE SPECIFICATION NARRATIVE FOR PIPE SEAL AND CHIMNEY SEAL REQUIREMENTS.

MANHOLE STEPS SHALL CONFORM TO ASTM-C478 & SHALL BE NEENAH FOUNDRY CO. R-1981-N OR APPROVED EQUAL. STEPS SHALL BE SPACED 16" ON CENTER.

STANDARD MANHOLE DETAIL

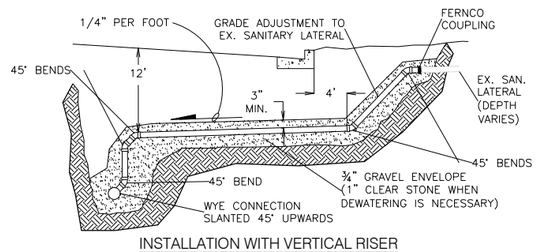
DETAIL 02601–A

DWG FILE	DESCRIPTION	LAST REVISED
02601–A.DWG	STANDARD MANHOLE	2/10/99 TLS



STANDARD INSTALLATION WITHOUT A RISER

NOTES:
1. CONSTRUCT LATERALS IN CONFORMANCE WITH CHAPTER COMM 82 OF THE WISCONSIN ADMINISTRATIVE CODE.
2. LATERAL SLOPE SHALL BE ¼" PER FOOT WHERE SUFFICIENT COVER EXISTS
3. WHERE LATERALS ARE NOT IMMEDIATELY CONNECTED TO BUILDING SEWERS THE ENDS OF THE LATERALS SHALL BE MARKED BY POSITIONING 4"x4" BOARDS VERTICALLY FROM THE ENDS OF THE LATERALS TO AT LEAST 2' ABOVE THE GROUND SURFACE.
4. CONTRACTOR SHALL VERIFY SIZE, DEPTH, AND LOCATION OF EXISTING LATERALS.

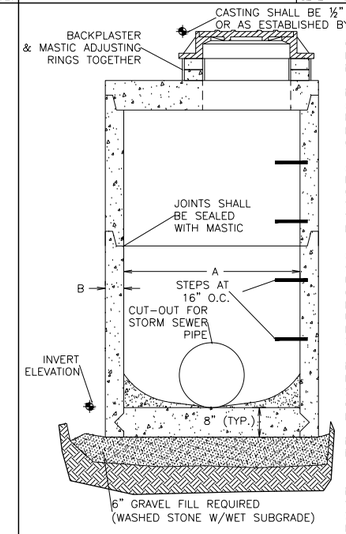


INSTALLATION WITH VERTICAL RISER

SANITARY SEWER LATERAL DETAIL

DETAIL 02722–B

DWG FILE	DESCRIPTION	LAST REVISED
02722–B.DWG	SANITARY LATERALS	12/30/02 JLJ



STORM MANHOLE DIMENSIONS

MANHOLE SIZE	DIMENSION	
	A	B (MIN.)
48"	48"	5"
60"	60"	6"
72"	72"	7"
84"	84"	7"
96"	96"	9"

CONCRETE SHALL BE 4000 PSI, 28 DAY COMPRESSIVE STRENGTH, 6.5 BAG MIX WITH 1~2% AIR ENTRAINMENT.

MANHOLE STEPS SHALL CONFORM TO ASTM-C478 & SHALL BE NEENAH FOUNDRY R-1981-N OR APPROVED EQUAL. STEPS SHALL BE SPACED 16" ON CENTER.

ADJUST FRAME TO GRADE WITH AT LEAST TWO PRECAST CONCRETE RINGS OF DIFFERENT THICKNESSES. RINGS SHALL BE REINFORCED WITH ONE NO.3 STEEL BAR CENTERED WITHIN EACH RING.

A MINIMUM OF 3" TO A MAXIMUM OF 9" OF ADJUSTING RINGS SHALL BE USED TO ADJUST THE MANHOLE CASTING TO THE FINISHED GRADE. ALL RINGS SHALL BE SEALED TOGETHER USING MASTIC AND ALL JOINTS SHALL BE BACK PLASTERED INSIDE AND OUT WITH CEMENT MORTAR.

MANHOLE CASTING SHALL BE HEAVY DUTY, NEENAH FOUNDRY R-1550-A, WITH TYPE "B" NON-ROCKING LID, GASKET SEAL AND CONCEALED PICKHOLES.

MANHOLE INLET CASTING SHALL BE NEENAH FOUNDRY R-2050 WITH TYPE "C" NON-ROCKING GRATE.

MANHOLE-TYPE CURB INLET CASTING SHALL BE NEENAH FOUNDRY R-3067 WITH REVERSIBLE GRATES WHERE RUNOFF REACHES THE INLET FROM BOTH DIRECTIONS. WHERE RUNOFF REACHES THE INLET FROM ONE DIRECTION A NEENAH R-3067-L CASTING SHALL BE USED. DIRECTIONAL SLOTS TO BE LOCATED TO DIRECT THE FLOW INTO THE CURB INLET.

A 2x3 LID OPENING IS REQUIRED FOR MANHOLE-TYPE CURB INLETS. ADJUSTING RINGS SHOULD THEN BE LIMITED TO 6" MAX.

STORM SEWER MANHOLE/MANHOLE INLET/ MANHOLE-TYPE CURB INLET DETAIL

DETAIL 02721–F

DWG FILE	DESCRIPTION	LAST REVISED
02721–F.DWG	STD. STORM MANHOLE	12/29/04 JLJ

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DETAILS

GLACIER RIDGE

VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN

SCALE: 1"= 1'

0 1

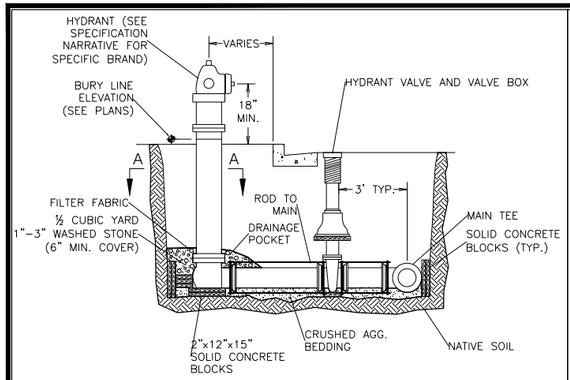
DATE: 2/15/16

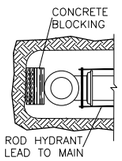
DRAWN BY: KWB

FN: 15-05-168

Sheet Number:

5 OF X





SECTION A-A

NOTES:

– THE HYDRANT AND HYDRANT VALVE SHALL BE CONNECTED TO THE MAIN TEE BY RODDING IN ACCORDANCE WITH DETAIL 02701–C, OR BY MEGA LUGS.

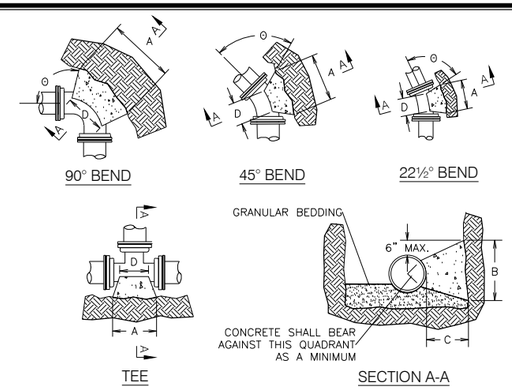
– THE DISTANCE BETWEEN THE HYDRANT AND THE MAIN WILL VARY. OFFSET DISTANCES ARE MARKED ON THE PLANS.

–WHERE THE HYDRANT IS INSTALLED AT THE HIGH POINT OF THE WATER MAIN ON MAINS 10 INCHES IN DIAMETER AND LARGER THE CONTRACTOR SHALL TIP THE MAIN TEE UPWARDS 45 DEGREES AND USE A 45 DEGREE FITTING TO ALLOW AIR TO ESCAPE FROM THE MAIN.

STANDARD HYDRANT SETTING

DETAIL NO. 02701–A

DWG FILE	DESCRIPTION	LAST REVISED
02701–A.DWG	STD. HYDRANT SETTING	01/05/06 JLJ



DIMENSION "D" SHALL BE AS LARGE AS POSSIBLE, BUT THE CONCRETE SHALL NOT INTERFERE WITH THE MECHANICAL JOINTS.

DIMENSION "C" SHALL BE AT LEAST 6 INCHES, AND LARGE ENOUGH TO MAKE THE "Θ" ANGLE EQUAL TO OR GREATER THAN 45 DEGREES WITH THE DIMENSION "A" AS SHOWN ON THE TABLE, OR GREATER, AND WITH DIMENSION "D" AS LARGE AS POSSIBLE.

CONCRETE SHALL BE CLASS "CC", SEE SECTION 03301

BUTTRESS DIMENSIONS								
PIPE SIZE *	TEES		22.5° BEND		45° BEND		90° BEND	
	A	B	A	B	A	B	A	B
6	1'–3"	1'–0"	1'–0"	1'–0"	1'–0"	1'–0"	1'–4"	1'–2"
8	1'–6"	1'–4"	1'–0"	1'–0"	1'–4"	1'–2"	1'–10"	1'–6"
10/12	2'–3"	2'–0"	1'–4"	1'–4"	1'–10"	1'–10"	2'–8"	2'–3"
14/16	3'–2"	2'–6"	1'–10"	1'–8"	2'–6"	2'–4"	3'–10"	2'–10"
18/20	4'–0"	3'–0"	2'–4"	2'–0"	3'–3"	2'–10"	5'–0"	3'–4"
22/24	5'–3"	3'–4"	2'–10"	2'–4"	4'–0"	3'–3"	6'–4"	3'–10"
30	6'–3"	4'–3"	3'–6"	3'–0"	5'–4"	3'–10"	8'–0"	4'–8"

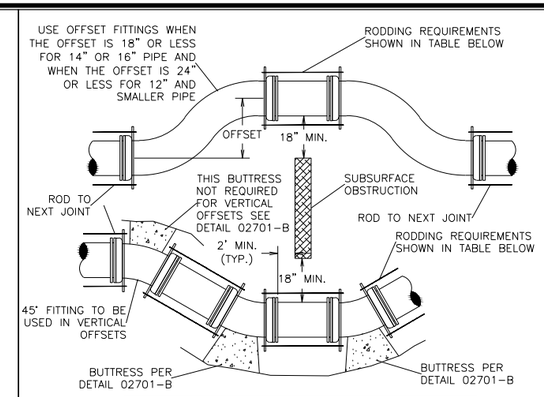
* = FOR TEE THIS WILL BE THE BRANCH PIPE

DIMENSIONS IN THE TABLE ARE BASED ON A WATER PRESSURE OF 150 PSI AND SOIL RESISTANCE OF 2000 LBS./SQ.FT.

BUTTRESS DETAILS

DETAIL NO. 02701–B

DWG FILE	DESCRIPTION	LAST REVISED
02701–B.DWG	BUTTRESS DETAIL	01/05/06 JLJ



NOMINAL PIPE SIZE	RODS NO.	RODS DIA.	STRAP SIZE	BOLT DIA.	WASHER SIZE
6	3	¾	½ x 2	¾	½ x 3 x 5
8	4	¾	½ x 2	¾	½ x 3 x 5
10	4	¾	½ x 2½	1	½ x 3 x 5
12	4	¾	½ x 2½	1	½ x 3 x 5
14	4	¾	½ x 2½	1	½ x 3 x 5

ALL DIMENSIONS IN THIS TABLE ARE IN INCHES

NOTES:
– RODS AND WASHERS TO BE ASTM A–575 MERCHANT QUALITY 0.17–0.24 CARBON. NUTS TO BE AMERICAN STANDARD HEAVY, NOT PRESSED.

– TIE RODS, BOLTS, NUTS, BANDS AND WASHERS TO BE FURNISHED AND ASSEMBLED BY THE CONTRACTOR.

– ALL STEEL MATERIAL TO BE GALVANIZED OR THOROUGHLY COATED WITH ENGINEER APPROVED COATING.

– OFFSET FITTINGS REQUIRE CONTINUOUS RODDING IN ALL POSITIONS.

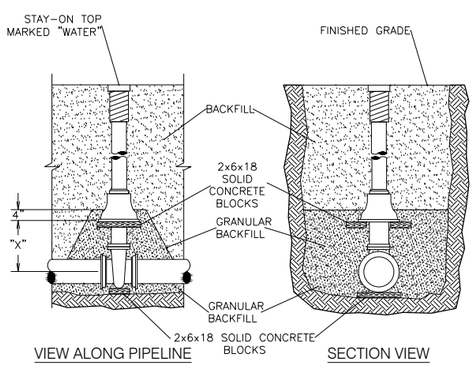
– VERTICAL OFFSETS SHALL NOT CREATE A HIGH POINT IN THE WATER MAIN. VERTICAL OFFSETS REQUIRE THE SAME RODDING AND BUTTRESSING AS SHOWN ABOVE.

– MEGALUG RESTRAINTS MAY BE USED IN LIEU OF RODDING.

OFFSET AND RODDING DETAILS

DETAIL 02701–C

DWG FILE	DESCRIPTION	LAST REVISED
02701–C.DWG	OFFSET & RODDING	01/13/03 JLJ



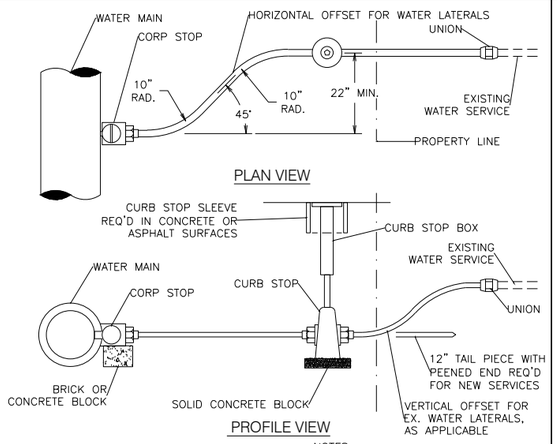
PIPE DIA., INCHES	6	8	10	12	14	16
"X" DIMENSION, INCHES	12	13	17	21	25	30

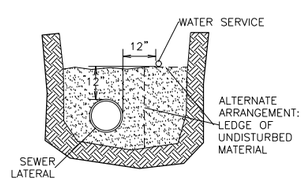
NOTES:
– VALVES SHALL BE SECURED WITH RODDING OR MEGALUGS TO THE NEAREST "TEE" FITTING OR TO THE FIRST JOINT CONNECTING A FULL SECTION OF WATER MAIN PIPE. SEE RODDING DETAIL 02701–C

STANDARD VALVE BOX SETTING

DETAIL 02701–D

DWG FILE	DESCRIPTION	LAST REVISED
02701–D–CP	STD. VALVE BOX	01/05/06 JLJ





JOINT TRENCH INSTALLATION

NOTES:
– HORIZONTAL AND VERTICAL OFFSETS SHALL BE MADE WITH AN APPROVED PIPE BENDING TOOL. SHARP BENDS OR KINKS IN THE WATER SERVICE ARE NOT ALLOWED.

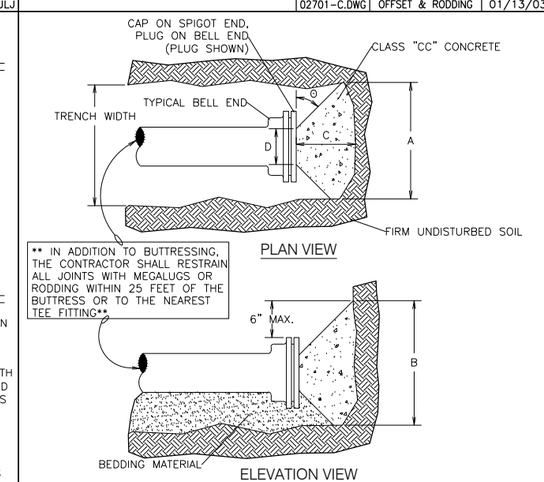
– VERTICAL OFFSETS SHALL BE MADE ON THE PROPERTY LINE SIDE OF THE CURB STOP.

– PLASTIC OR CAST IRON CURB BOX SLEEVES SHALL BE INSTALLED WHERE CURB BOXES ARE INSTALLED IN CONCRETE OR ASPHALT SURFACES.

WATER SERVICE INSTALLATION DETAIL

DETAIL 02701–F

DWG FILE	DESCRIPTION	LAST REVISED
02701–F.DWG	WATER SERV. DETAILS	01/05/06 JLJ



BUTTRESS DIMENSIONS				
DIA.	A	B	C	D
6"	1'–3"	1'–0"	SEE NOTES ABOVE	SEE NOTES ABOVE
8"	1'–8"	1'–6"		
10"	2'–0"	1'–8"		
12"	2'–5"	1'–10"		
16"	3'–4"	2'–4"		
20"	4'–3"	2'–10"		
24"	5'–2"	3'–4"		
30"	6'–9"	4'–0"		

NOTES:
– DIMENSION "C" SHALL BE LARGE ENOUGH TO MAKE ANGLE Θ EQUAL TO OR GREATER THAN 45°.

– DIMENSION "D" EQUALS APPROX. I.D. OF PIPE, LESS 2 INCHES. CONTRACTOR SHALL PROTECT THE MECH. JOINT BOLTS FROM THE CONCRETE BUTTRESS.

– BUTTRESS DIMENSIONS ARE BASED UPON A SOIL RESISTANCE OF 2 TONS PER SQ. FT. AND A WATER PRESSURE OF 150 P.S.I.

BUTTRESS DETAIL FOR DEAD ENDS

DETAIL 02701–H

DWG FILE	DESCRIPTION	LAST REVISED
02701–H.DWG	DEAD END BUTTRESS	2/21/99 TLS

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DETAILS

GLACIER RIDGE

VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN

SCALE: 1"= 1'

0 1

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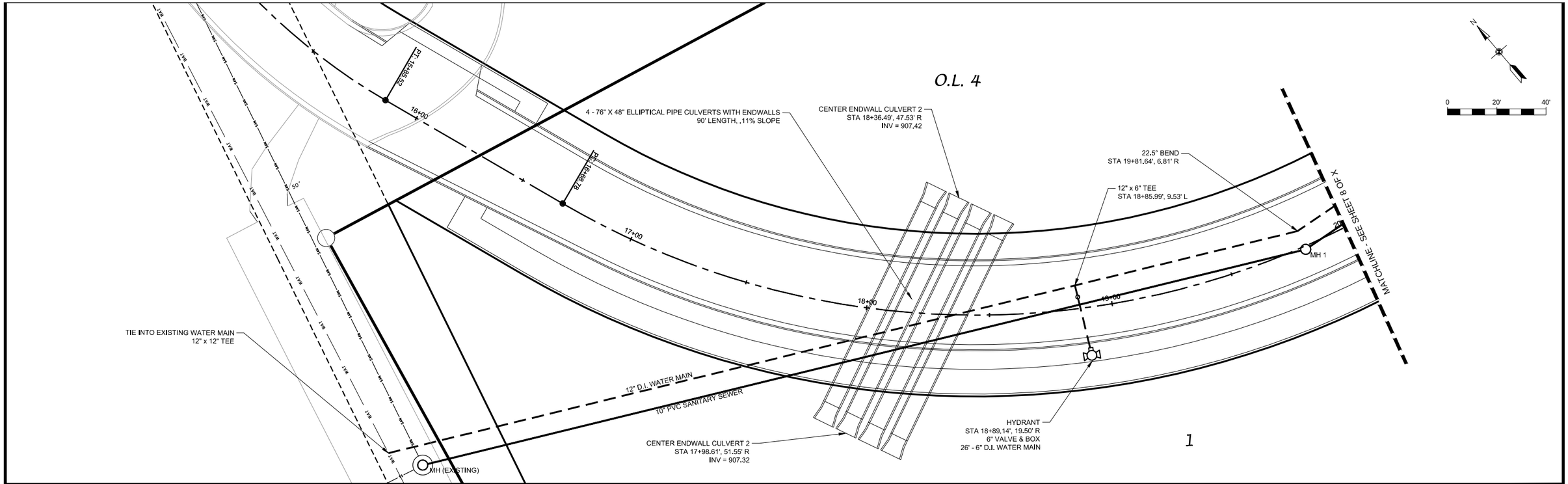
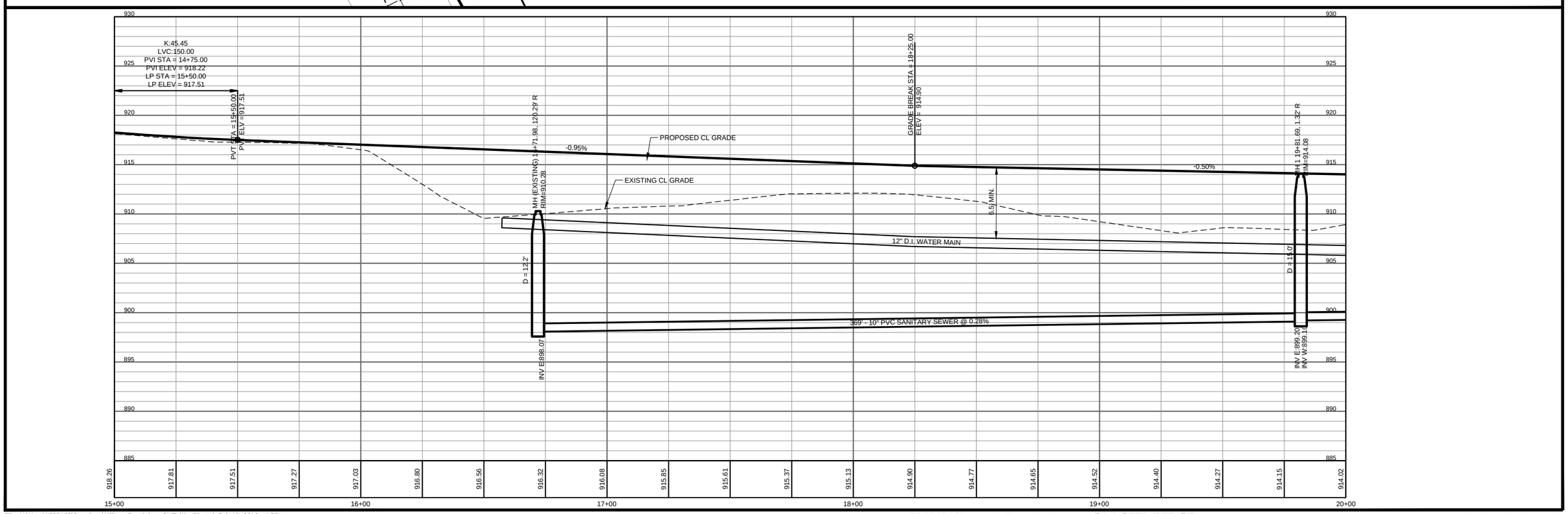
6 OF X





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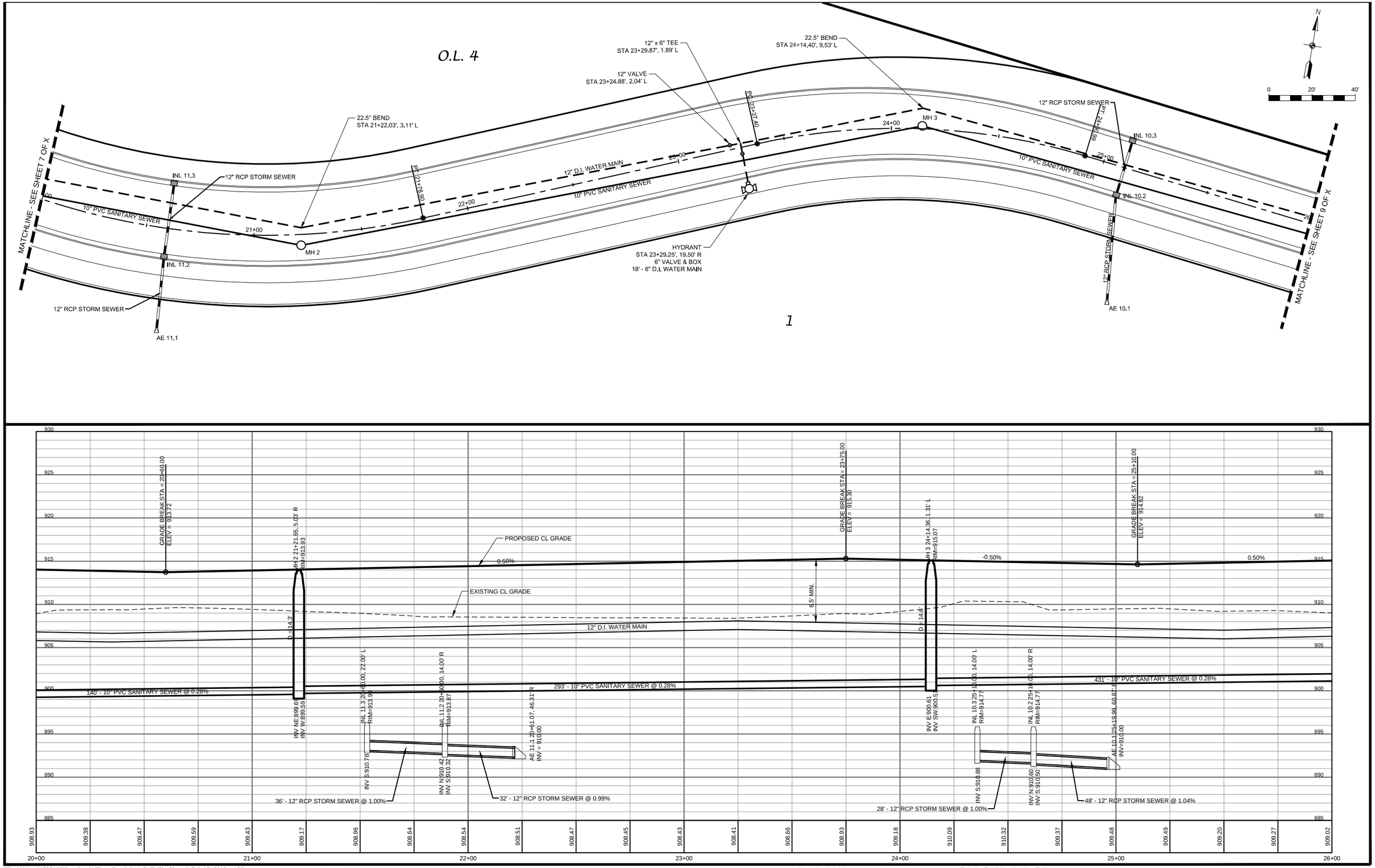

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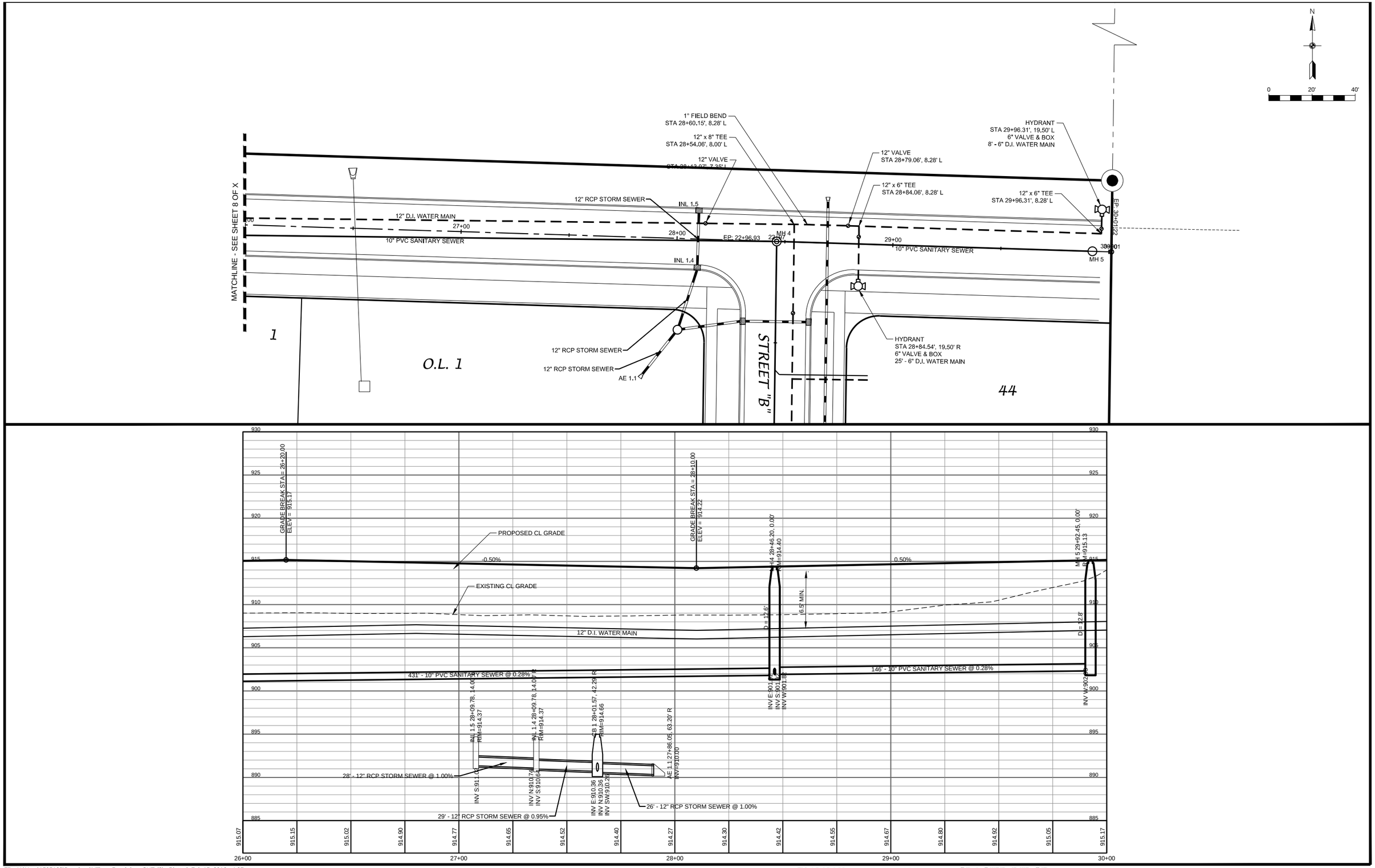

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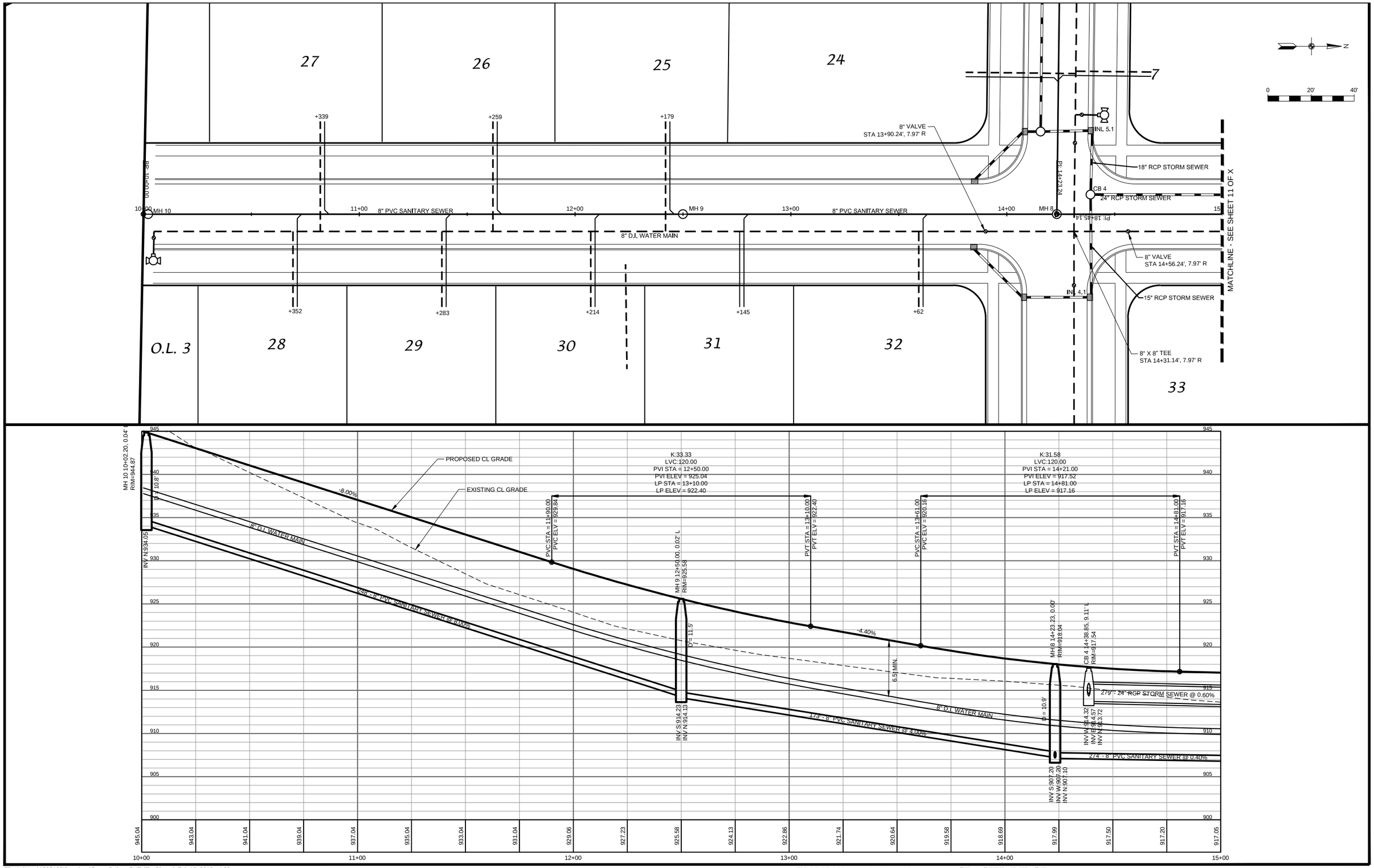

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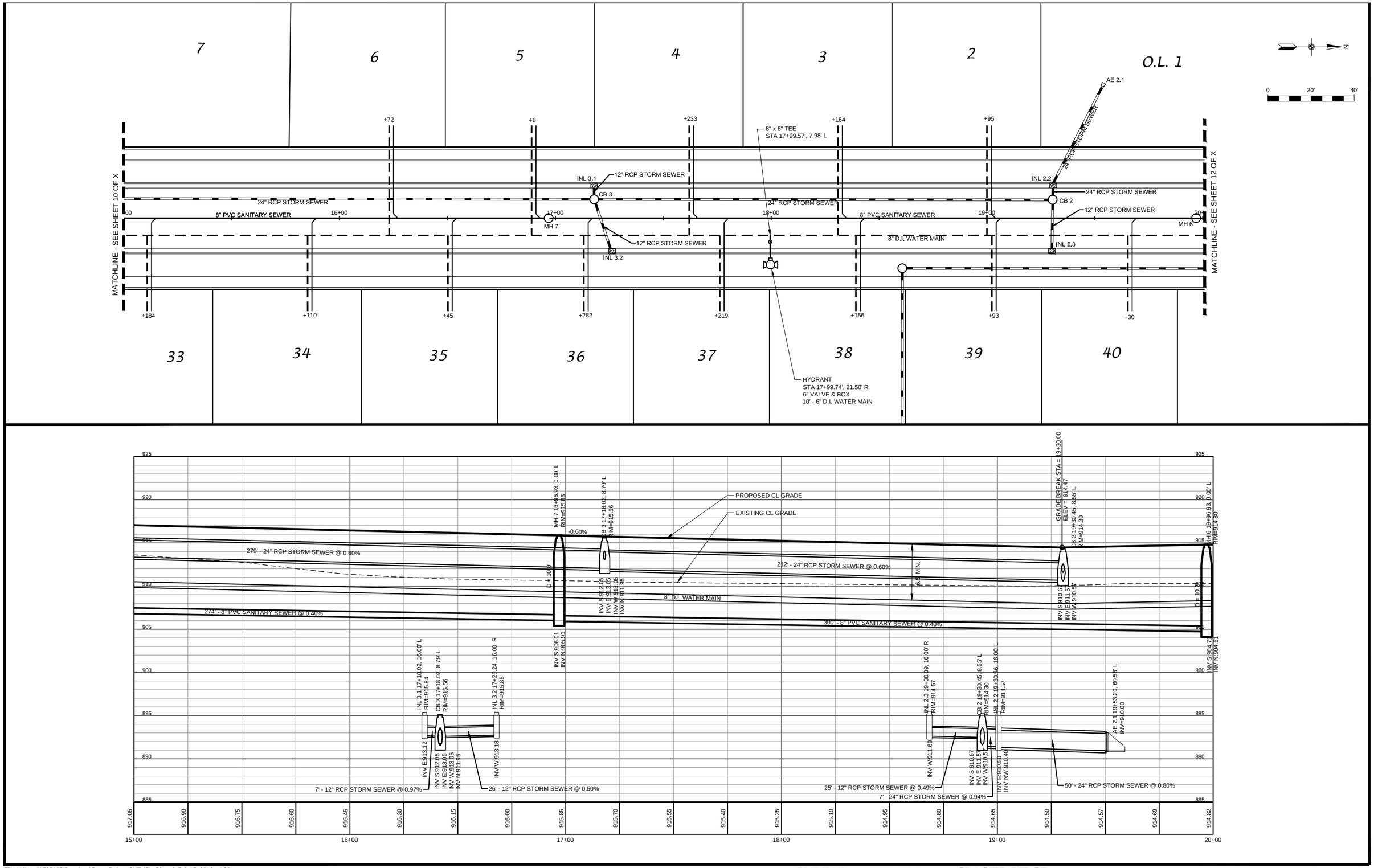

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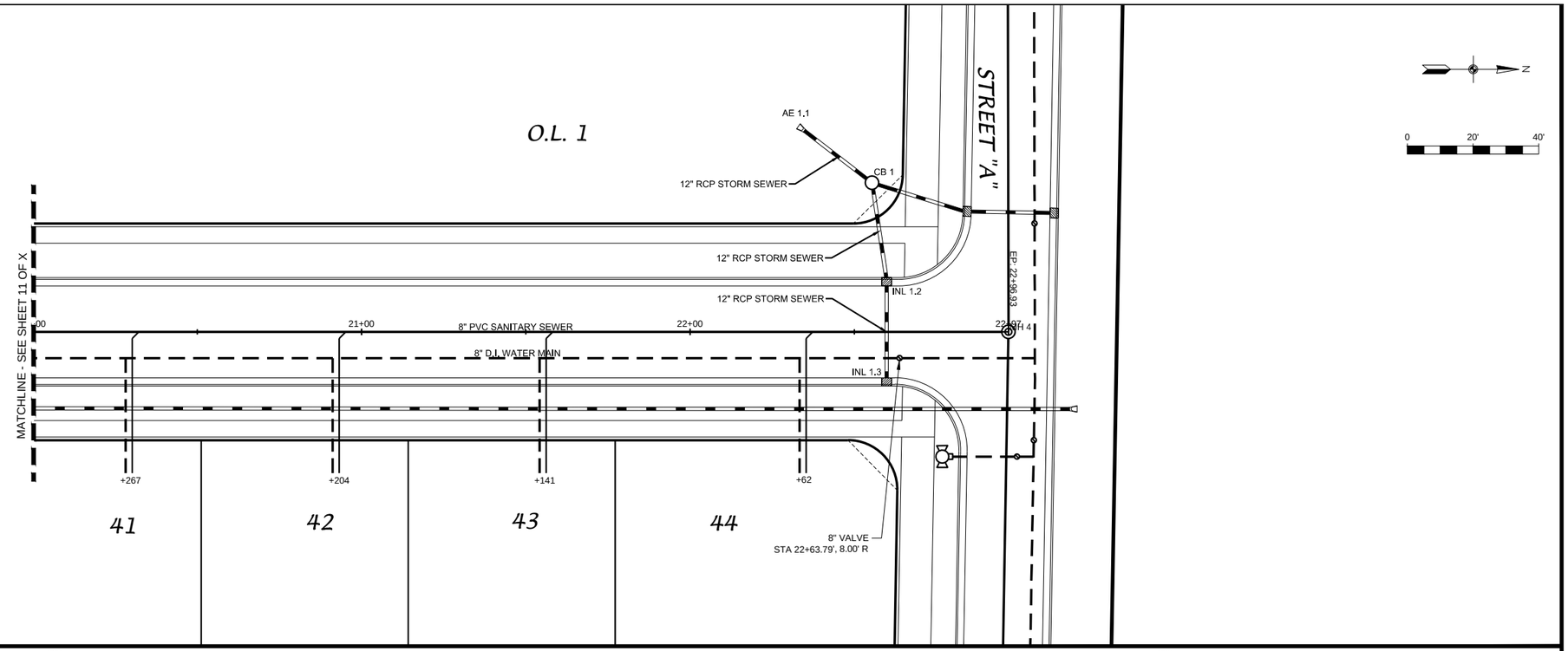

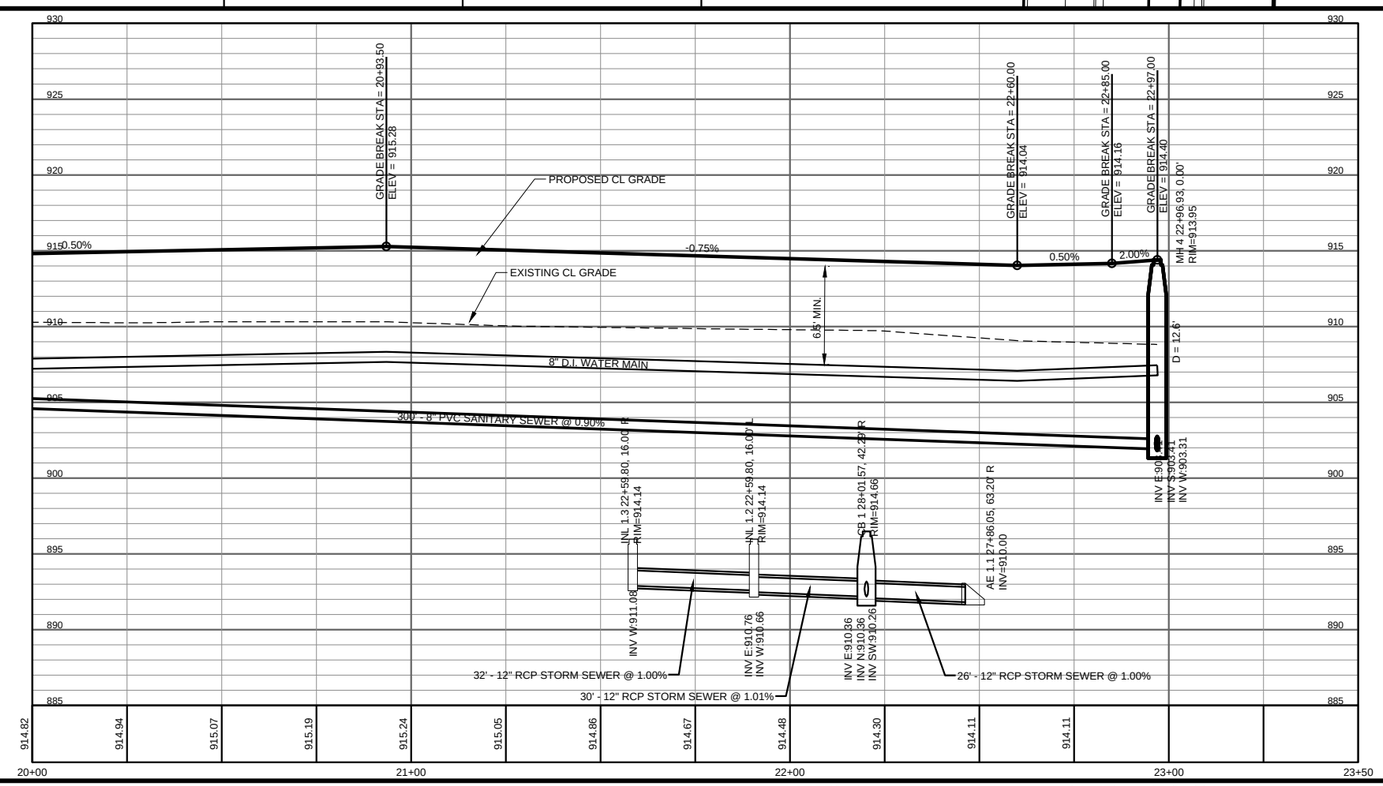

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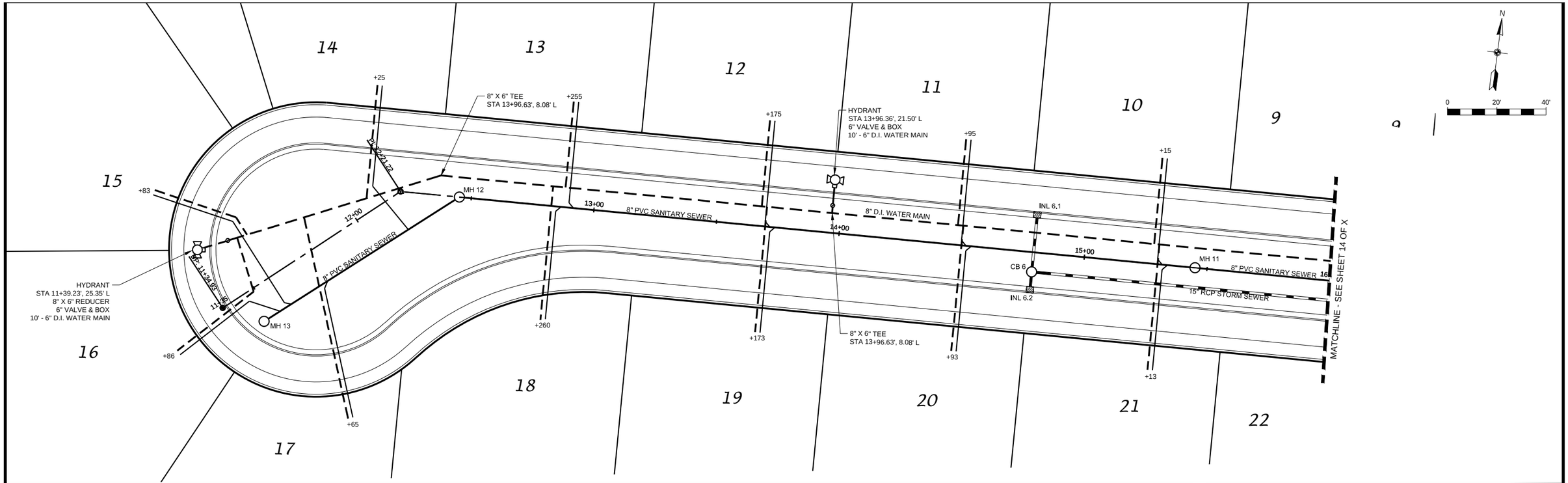

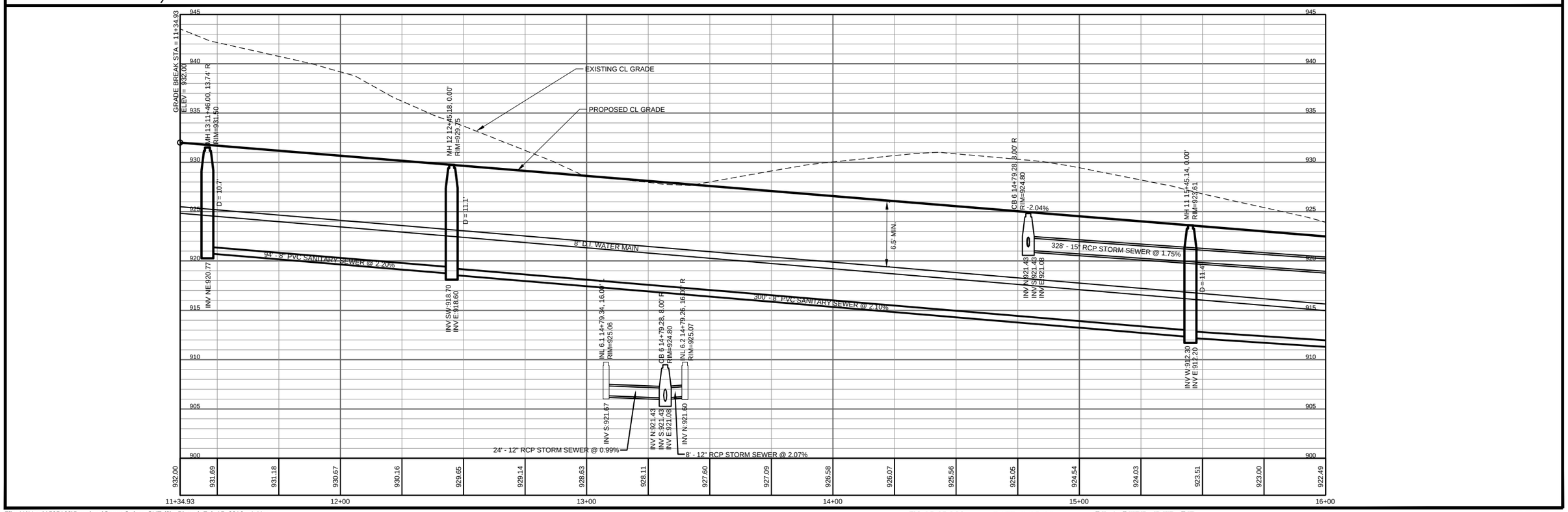

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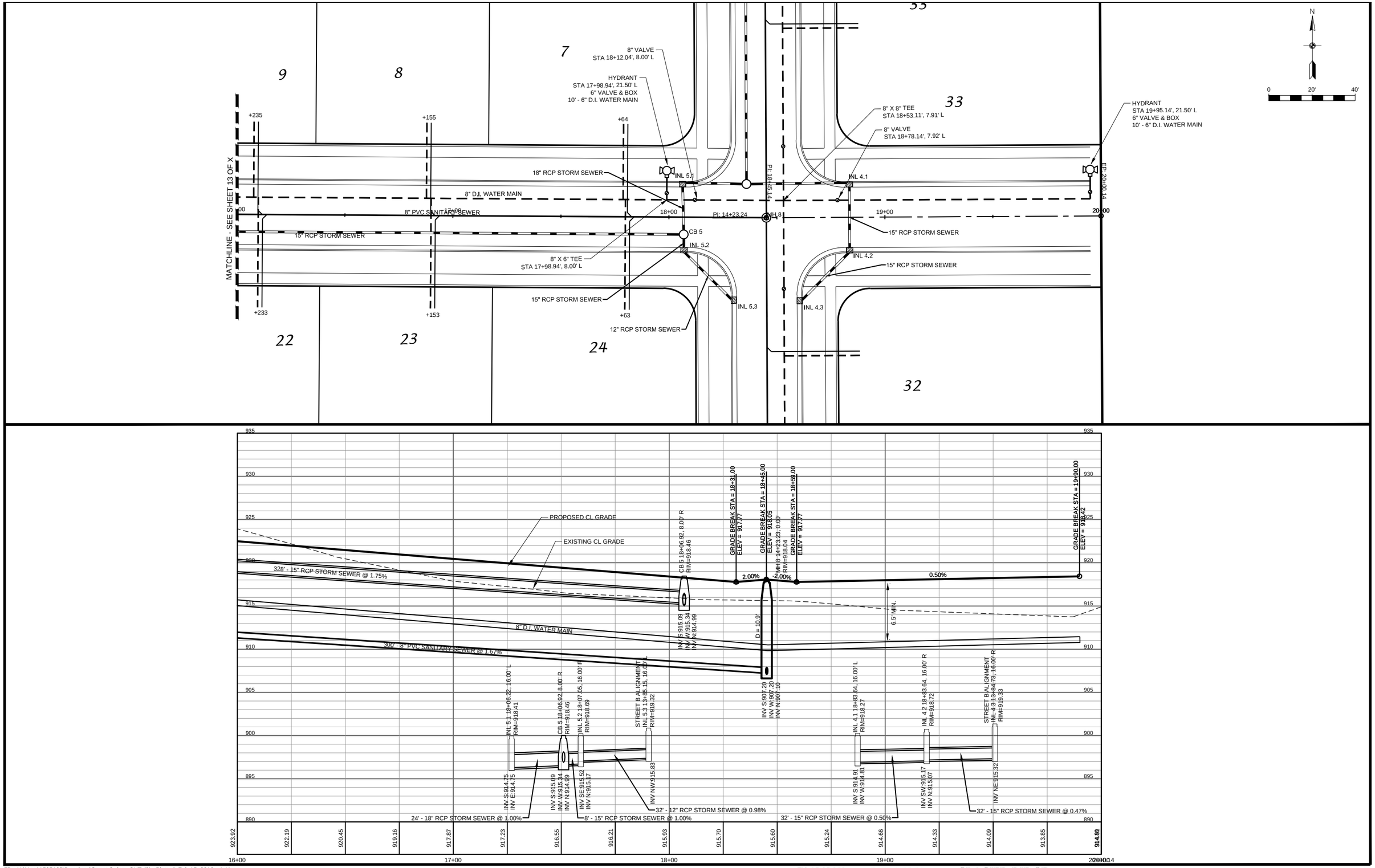

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STREET C

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Exhibit E

DESIGN STANDARDS

SECTION 83.76 Street Arrangement.

In any new subdivision the street layout shall conform to the arrangement, width and location indicated on the Official Map, Comprehensive Plan or component neighborhood development plan of the Village. In areas for which such plans have not been completed, the street layout shall recognize the functional classification of the various types of streets and shall be developed and located in proper relation to existing and proposed streets, to the topography, to such natural features as streams and tree growth, to public convenience and safety, to the proposed use of the land to be served by such streets, and to the most advantageous development of adjoining areas. Each lot of a subdivision shall have direct access to a public street.

(a) **Arterial Streets.** Arterial streets shall be arranged so as to provide ready access to centers of employment, centers of governmental activity, community shopping areas, community recreation, and points beyond the boundaries of the community. They shall also be properly integrated with and related to the existing and proposed system of major streets and highways and shall be, insofar as practicable, continuous and in alignment with existing or planned streets with which they are to connect.

(b) **Collector Streets.** Collector streets shall be arranged so as to provide ready collection of traffic from residential areas and conveyance of this traffic to the major street and highway system and shall be properly related to the mass transportation system, to special traffic generators such as schools, churches, shopping centers and other concentrations of population, and to the major streets into which they feed.

(c) **Local Streets.** Local streets shall be arranged to conform to the topography, to discourage use by through traffic, to permit the design of efficient storm and sanitary sewerage systems, and to require the minimum street area necessary to provide safe and convenient access to abutting property.

(d) **Proposed Streets.** Proposed streets shall extend to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions or unless, in the opinion of the Plan Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of the adjacent tracts. Temporary turnarounds may be required where the street ends at the boundary of the subdivision.

(e) **Arterial Street and Highway Protection.** Whenever the proposed subdivision contains or is adjacent to a major street or highway, adequate protection of residential properties, limitation of access and separation of through and local traffic shall be provided by reversed frontage, with screen planting contained in a nonaccess reservation along the rear property line, or by the use of frontage streets.

(f) **Reserve Strips.** Reserve strips controlling access to streets or alleys are prohibited except where control of such strips is placed with the Village under conditions approved by the Plan Commission.

(g) **Alleys.** Alleys shall be allowed in commercial and industrial districts for off-street loading and service access. Alleys shall not be used in residential areas unless approved by the Village Board. Alleys shall not be less than 24 feet wide and shall be continuous through blocks. Dead-end alleys shall not be approved, and alleys shall not connect to an arterial street.

(h) **Public Rights-of-way.** Private improvements, including but not limited to buildings and landscaping, are prohibited within public rights-of-way. The Village shall not be responsible for damage caused to private improvements in the public right of way.

SECTION 83.77 Street Names and Building Numbers.

(a) Duplication of existing street names by similar word, spelling, or sound shall not be permitted.

(b) Where a street maintains the same general direction except for curvilinear changes for short distances, the same name shall continue for the entire length of the street. House numbering difficulties shall be considered the determining factor in considering whether a change of name is necessary due to curvilinear changes.

(c) A street name shall be changed when required to conform to the proposed or existing house numbering base.

(d) A name assigned to a street which is not presently a through street, due to intervening land over which the street extension is planned, shall be continued for the separate portions of the planned through street.

(e) For purposes of consistency, the following street designations shall be used only in the situations indicated. Other terms may be used so long as they are not inconsistent with the below designations.

(1) Boulevard: a street with a divided pavement either existing or planned. If the divided pavement ends but the street continues, the same street name and suffix shall continue.

(2) Lane: a street, one block long, not ending in a cul-de-sac.

(3) Circle: a cul-de-sac of nine lots or more.

(4) Court: a cul-de-sac of eight lots or fewer.

(5) Parkway: a street abutting a park or greenway or creek.

(f) The maximum number of street names at one intersection shall be three.

(g) Street names shall be assigned so that two intersections shall not have the same exact street names.

(h) The name of any projection of a street shall remain unchanged even if the projection terminates in a cul-de-sac.

(i) The changing of a street name that does not duplicate an existing street name shall only be approved where such change will eliminate conflicts with other provisions of this section.

(j) Service roads and highways served by them shall have the same street name and designation.

(k) Approval of street names on a preliminary plat will not reserve the names, nor shall the Village be required to accept such names at the time of final platting.

(l) A minimum number of letters is desirable in a street name. The number of letters, not including the prefix or suffix, shall not exceed 12.

SECTION 83.78 Limited Access Highways and Railroad Rights-of-way.

Whenever the proposed subdivision contains or is adjacent to a limited access highway or railroad right-of-way, the design shall provide the following treatment:

(a) In all residential districts, a buffer strip at least 30 feet in depth, in addition to the normal lot depth required, shall be provided adjacent to a railroad right-of-way or a limited access arterial street. The lot depth required, including such buffer strip, shall not be less than 150 feet. The strip shall be a part of the platted lots but shall have the following restrictions lettered on the face of the plat:

> "This strip reserved for the planting of trees or shrubs by the owner; the building of structures hereon is prohibited, and the rear 30 feet of the strip shall not be counted as any required yard. Maintenance of this strip is a responsibility of the lot owner."

(b) Commercial and industrial districts shall have, on each side of the limited access highway or railroad, streets approximately parallel to and at a suitable distance from such highway or railroad (not less than 150 feet) for the appropriate use of the land between such streets and highway or railroad.

(c) Streets parallel to a limited access highway or railroad right-of-way shall, when intersecting a major street and highway or collector street which crosses said railroad or highway, be located at a minimum distance of 250 feet from said highway or railroad right-of-way. Such distance, where desirable and practicable, shall be determined with due consideration of the minimum distance required for the future separation of grades by means of appropriate approach gradients.

(d) The location of local streets immediately adjacent and parallel to railroad rights-of-way, and in residential areas immediately adjacent to arterial streets and highways and to railroad rights-of-way, shall be avoided.

SECTION 83.79 Street Design Standards.

(a) **Minimum Right-of-way and Street Surface Width.** The minimum right-of-way (ROW) and street surface width (curb face to curb face) of all proposed streets and alleys shall be the width specified by the Comprehensive Plan, Official Map or

neighborhood development plan, or, if no width is specified therein, the minimum width shall be as follows:

Type of Street	ROW Width (feet)	Curb Face to Curb Face Width (feet)
Arterial	120	40
Collector and Local	66	28
Frontage	66	28
Alley	24	18

The actual street surface width shall be determined by the Village Board following recommendation by the Village engineer, Director of Public Facilities and the Plan Commission.

(b) **Cul-de-sac Streets.**

(1) Streets designed to have one end permanently closed shall not exceed 1,600 feet in length.

(2) Except as provided in Subsection (b)(3), streets which are designed to have one end permanently closed shall terminate in a circular turnaround having a minimum right-of-way diameter of 120 feet and a minimum outside curb diameter of 86 feet. The reverse curve on a cul-de-sac shall have a fifty-foot minimum radius when the bulb is centered on the street and a one-hundred-foot minimum radius when the bulb is offset.

(3) All streets which are designed to have one end permanently closed in business, commercial, industrial and manufacturing areas shall terminate in a circular turnaround having a minimum right-of-way diameter of 130 feet and a minimum outside curb diameter of 96 feet. The reverse curve on a cul-de-sac shall have a fifty-foot minimum radius when the bulb is centered on the street and a one-hundred-foot minimum radius when the bulb is offset.

(4) All lots on cul-de-sacs shall be required to group mailboxes together in a location approved by the Village Director of Public Facilities

(c) **Street Grades.**

(1) The maximum street grades shall not exceed the following:

a. Arterial streets and highways: 6%.

b. Collector and local streets and alleys: 8%.

c. Pedestrian ways: 10% unless steps of acceptable design are provided.

(2) Where necessitated by exceptional topography and where approved by the Village Engineer, Plan Commission and Village Board, the above grades may be exceeded, but in no event shall the grade of any street exceed 12% or be less than 0.50%.

(3) All changes in street grades shall provide sight distances as conditions require as determined by the Village Engineer. Sight distance calculations shall be done in accordance with the provisions of the Wisconsin Department of Transportation Facilities Development Manual.

(4) Street grades shall be established wherever practicable in such a manner to avoid excessive grading, the excessive removal of ground cover and tree growth and general leveling of the topography.

(d) **Radii of Curvature.**

(1) When a continuous street center line deflects at any one point by more than 10°, a circular curve shall be introduced having a radius of curvature on said center line of not less than the following:

a. Arterial streets and highways: 500 feet.

b. Collector streets: 300 feet.

c. Local streets: 150 feet.

(2) A tangent at least 100 feet in length shall be provided between reverse curves on arterial and collector streets.

(e) **Half Streets.** Where an existing dedicated or platted half street is adjacent to the tract being subdivided, the other half of the street shall be dedicated by the subdivider. Streets less than full width on the boundary of the tract being subdivided shall not be less than a width sufficient to produce a full pavement, a full terrace on the plat side and a reserve strip as determined by the Plan Commission.

(f) **Storm Drainage.** Storm sewer systems shall be provided on all streets to accommodate the post-development runoff resulting from a ten-year, twenty-four-hour rainfall event. Street inlets on local and marginal access streets shall be placed so that temporary accumulations of storm runoff from ponding or flowing water are limited such that water cannot flow across the crown of the street from one side to the other. Street inlets on collector and arterial streets shall be placed so that temporary accumulations of storm runoff from ponding or flowing water are limited such that water cannot reach to within 10 feet of the center line of the street. Valley gutters across intersections shall be permitted only on cul-de-sac or dead-end streets serving fewer than 10 dwelling units and where the minimum grade on the valley gutter and the downstream gutter to the next inlet is not less than 1%. The post-development runoff resulting from a one-hundred-year, twenty-four-hour rainfall shall be contained within the street right-of-way to the point where such runoff reaches a suitably designed drainage channel or perennial watercourse.

SECTION 83.80 Street Intersections.

(a) Streets shall intersect each other at as nearly right angles as topography and other limiting factors of good design permit.

(b) The number of streets converging at one intersection shall not be more than two.

(c) The number of intersections along major streets and highways shall be held to a minimum. Wherever practicable the distance between such intersections shall not be less than 1,200 feet.

(d) Property lines at street intersections shall be rounded with a minimum radius of 15 feet, except that at all intersections along collector and arterial streets the radius shall be increased to 25 feet. The Plan Commission may require a larger radius where desirable.

(e) Local streets shall not necessarily continue across arterial or collector streets, but if the center lines of such minor streets approach the major streets from opposite sides within 150 feet of each other, measured along the center line of the arterial or collector street, then the location shall be so adjusted that the adjoinment across the major or collector street is continuous and a jog is avoided.

(f) Radii at the face of curbs at intersections shall be a minimum of 20 feet.

SECTION 83.81 Visibility at Intersections.

(a) **Purpose.** The purpose of this section is to alleviate or prevent congestion of public rights-of-way so as to promote the safety and general welfare of the public by establishing minimum requirements for the provision of vehicular visibility.

(b) **Requirement.**

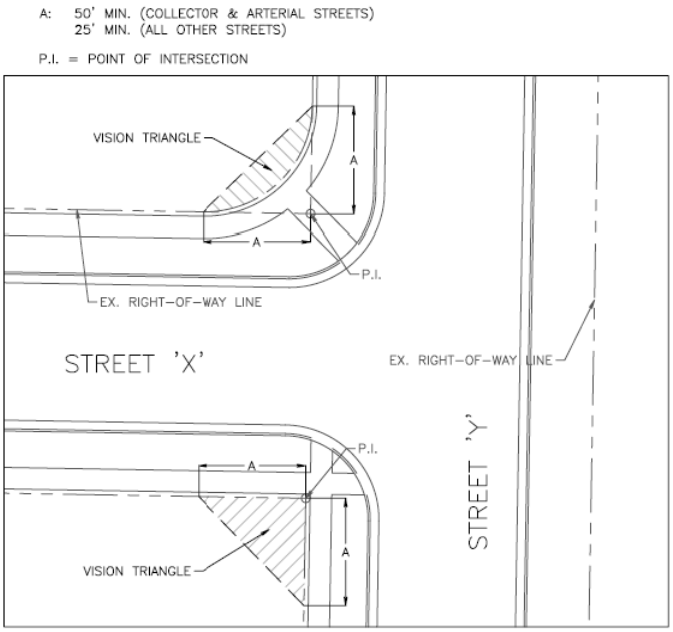
(1) No obstructions are permitted between 2 ½ feet and 10 feet above the plane through the mean curb grade within the triangular space formed by existing or proposed intersecting street or railroad right-of-way lines and a line connecting points on the right-of-way lines as follows:

a. Fifty feet along the right-of-way of USH 14, CTH KP, CTH P, Bourbon Road, Brewery Road and Thinnes Street/Airport Road.

b. Fifty feet along the right-of-way of any street from its intersection with a railroad right-of-way.

c. Twenty-five feet along the right-of-way of all other public streets.

d. Twenty-five feet along the right-of-way of all private roads and drives as specified by the Village Engineer.



(2) Within said triangular area, no signs, parking spaces, structures, or earthwork in excess of 30 inches and no vegetation, fencing, or other such obstructions between 30 inches and 10 feet in height shall be permitted above either of the center-line elevations of said two streets.

(c) **Depiction on Required Site Plan.** Except on property in the Central Business District where no requirement is imposed, any and all visibility triangles located on the subject property shall be depicted as to their location and configuration on final plat, certified survey map and the site plan required for the development of the subject property.

SECTION 83.82 Blocks.

(a) **Purpose.** The widths, lengths, and shapes of blocks shall be suited to the planned use of the land; zoning requirements; need for convenient access, control and safety of street traffic; and the limitations and opportunities of topography.

(b) **Length.** Blocks in residential areas shall not as a general rule be less than 600 feet nor more than 1,500 feet in length unless otherwise dictated by exceptional topography or other limiting factors of good design.

(c) **Pedestrian Ways.** Pedestrian ways of not less than 10 feet in width may be required near the center and entirely across any block over 900 feet in length where deemed essential by the Village Plan Commission to provide adequate pedestrian circulation or access to schools, shopping centers, churches or transportation facilities.

(d) **Width.** Blocks shall have sufficient width to provide for two tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic. Width of lots or parcels reserved or laid out for

commercial or industrial use shall be adequate to provide for off-street service and parking required by the use contemplated and the area zoning restrictions for such use.

(e) **Utility Easements.** All utility lines for electric power and telephone service shall be placed separate from road right-of-way on mid-block easements along rear lot lines whenever carried on overhead poles.

SECTION 83.83 Lots.

These minimums are consistent with SR-4 Zoning but not the newest district of SR-5. Variance is needed from these minimum standards in order to allow for the use of SR-5 in the preliminary plat as planned.

(a) The size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. The lots should be designed to provide an aesthetically pleasing building site and a proper architectural setting for the buildings contemplated.

(b) Double frontage and reverse frontage lots shall be prohibited.

(c) Residential lots shall have a minimum area of 9,600 square feet and a minimum width of 80 feet at the building line; provided, however, that the requirements of the zoning regulations insofar as they may specify greater areas or distance shall be complied with.

(d) Residential lots to be served by private sewage disposal facilities shall comply with the rules of the Wisconsin Department of Commerce.

(e) Every lot shall front or abut on a public street for a distance of at least 50 feet.

(f) Side lot lines shall be substantially at right angles or radial to street lines.

(g) Lots shall follow municipal boundary lines whenever practicable, rather than cross them.

(h) Side lot lines shall be as nearly as possible at right angles to straight street lines or radial to curved street lines on which the lots face.

(i) Corner lots shall have sufficient width to permit adequate building setbacks from side streets.

(j) Excessive depth in relation to width shall be avoided and a proportion of 1.5 to one shall be considered as an acceptable ratio under normal conditions.

(k) Residential lots fronting or backing on arterial streets shall be platted with extra depth to permit generous distances between the buildings and such trafficways.

(l) Depth and width of properties reserved or laid out for commercial or industrial use shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

(m) Whenever a tract is subdivided into large parcels, such parcels shall be arranged and dimensioned as to allow resubdivision of any such parcels into normal lots in accordance with the provisions of this chapter.

(n) Lands lying between the meander line and the water's edge and any otherwise unplattable lands which lie between a proposed subdivision and the water's edge shall be included as part of lots, outlots or public dedications in any plat abutting a lake or stream.

(o) Lot drainage patterns shall be indicated on the plat (or a separate sheet recorded with the plat) and shall take into account flow conditions from off site as well as outflow onto downstream properties. As-built grading plans showing the completed ground elevation at each lot corner and significant changes in grade along each side and rear lot line shall be provided to the Village. Benchmarks shall be provided on the northernmost nut on the flange of fire hydrants nearest to each lot.

(p) Unless specifically waived by the Village Director of Public Facilities, the first floor and garage floor elevations shall be at least one vertical foot above the top of curb (or street center-line elevation if there is no curb) at the lowest curb elevation in the street adjacent to the lot. The lowest building opening elevation shall be at least two vertical feet above the lowest lot corner. The first habitable floor and garage floor elevations and building opening elevation shall be shown on the face of the plat or certified survey map (or on a separate sheet recorded with the plat).

SECTION 83.84 Building Setback Lines.

Where not adequately controlled by zoning regulations, building setback lines appropriate to the location and type of development contemplated shall be established by the Plan Commission.

SECTION 83.85 Utility and Drainage Easements.

(a) **Underground Utility Service.**

(1) All new electric distribution lines (excluding lines of 12,000 volts or more), all new telephone lines from which lots are individually served, and all cable television communication lines and services installed within a newly platted area, mobile home park, cluster development or planned development shall be underground unless the Plan Commission shall specifically find after study that:

a. The placing of such facilities underground would not be compatible with the planned development;

b. Location, topography, soil, water table, solid rock, boulders, stands of trees, hedges or other physical conditions would make underground installation unreasonable or impracticable; or

c. The lots to be served by said facilities can be served directly from existing overhead facilities.

(2) Associated equipment and facilities which are appurtenant to underground electric and communications systems, such as, but not limited to, substations, pad-mounted transformers, pad-mounted sectionalizing switches and above-grade pedestal-mounted terminal boxes, may be located aboveground.

(3) The subdivider or its agent shall furnish proof to the Plan Commission that such arrangements as may be required under applicable rates and rules filed with the Public Service Commission of Wisconsin have been made with the owner or owners of such lines or services for placing their respective facilities underground as required by this section, as a condition precedent to approval of the final plat, site plan or certified survey map.

(4) Temporary overhead facilities may be installed to serve a construction site or where necessary because of severe weather conditions. In the latter case, within a reasonable time after weather conditions have moderated or upon completion of installation of permanent underground facilities, such temporary facilities shall be replaced by underground facilities and the temporary facilities removed, subject to any exception permitted by the Plan Commission under this subsection.

(b) **Easement Conditions.**

(1) Adequate easements shall be provided and dedicated on each side of all rear lot lines, and on side lot lines where necessary, for the installation of storm and sanitary sewers, gas, water, and electric lines, and telephone and cable television communication lines. Such easements as required by the Village or other private utility lines shall be noted as "Utility Easements" on the final plat or certified survey map. Prior to approval of the final plat or certified survey map, the concurrence of the electric, telephone and cable television communications companies serving the area as to the location and width of the utility easements shall be noted on the final plat or certified survey map. All easements for storm and sanitary sewers, water, bike paths and pedestrian walks, and other public purposes shall be noted thereon as "Public Easement for" followed by reference to the use or uses for which they are intended.

(2) Where the electric and communications facilities are to be installed underground, the utility easements shall be graded to within six inches of final grade by the subdivider, prior to the installation of such facilities, and earth fill, piles or mounds of dirt shall not be stored on such easement areas. Utility facilities when installed on utility easements, whether overhead or underground, shall not disturb any monumentation in the plat.

(3) Where the electric and/or communications facilities are to be installed underground, a plat restriction shall be recorded with the final plat or certified survey map stating that the final grade established by the subdivider on the utility easements shall not be altered by more than six inches by the subdivider, its agent, or by subsequent owners of the lots on which such utility easements are located, except with written consent of the utility or utilities involved. The purpose of this restriction shall be to notify initial and future lot owners of the underground facilities at the time of purchase and to establish responsibility in the event of damage to such facilities or the need to alter such facilities. When the utility company uses

a service application, said application should also notify the initial and subsequent lot owners of their responsibility regarding such underground facilities.

(c) **Drainage Easements.** Where a subdivision is traversed by a watercourse, drainageway, channel or stream, or stormwater runoff needs to be addressed, an adequate drainageway or easement shall be provided as required by the Plan Commission. The location, width, alignment and improvement of such drainageway or easement shall be subject to the approval of the Plan Commission, and parallel streets or parkways may be required in connection therewith. However, all such drainageways or easements shall be a minimum of 20 feet wide. Wherever possible, the stormwater drainage shall be maintained by landscaped, open channels of adequate size and grade to hydraulically accommodate maximum potential flow volumes. These sizes and design details are subject to review and approval by the Village Engineer, Plan Commission and Village Parks, Recreation and Conservancy Commission. In addition to the requirements of Chapter 65 of this Code regarding erosion control and stormwater runoff, the subdivider shall provide all necessary easements and facilities to transport the water off the platted area in a manner satisfactory to the Village Engineer and Village Board. Drainageways should substantially maintain existing water flow patterns onto neighboring lands.

SECTIONS 83.86 – 83.88 Reserved

REQUIRED IMPROVEMENTS

SECTION 83.89 Private Obstructions in Public Rights-of-way.

No private obstructions shall be permitted within the public right-of-way. The Village shall not be responsible for any damage to private obstructions as a result of public improvement projects.

SECTION 83.90 Streets.

Standard street improvements, including concrete curb and gutter, shall be installed in all subdivisions and land divisions within the corporate limits and in any land division or subdivision located within the extraterritorial jurisdiction area where required by the Plan Commission.

SECTION 83.91 Municipal Sanitary Sewers and Water Supply Systems.

Exhibit F

SECTION 84.29 (SR-4) Single Family Residential – 4 Zoning District.

(a) **Intent.** This district intends to create, preserve, and enhance areas for moderate density single family detached dwellings at an approximate density of 4 dwelling units per acre.

(b) **Principal Uses Permitted by Right.** Refer to Article III for detailed definitions and requirements for each of the following land uses.

(1) Single Family
(2) Selective Cutting
(3) Community Garden
(4) Outdoor Open Space Institutional
(5) Passive Outdoor Recreation
(6) Essential Services
(7) Small Scale Public Services and Utilities
(8) Community Living Arrangement (1-8 residents) meeting the requirements of Section 84.57(h)

(c) **Principal Uses Permitted as Conditional Use.** Refer to Article III for detailed definitions and requirements for each of the following land uses.

(1) Cultivation
(2) Clear Cutting
(3) Indoor Institutional
(4) Community Living Arrangement (9-15 residents) meeting the requirements of Section 84.57(i)
(5) Bed and Breakfast
(6) Large Wind Energy System
(7) Large Solar Energy System

(d) **Accessory Uses Permitted by Right.** Refer to Article III for detailed definitions and requirements for each of the following land uses.

(1) Home Occupation
(2) In-Home Daycare (4-8 children)
(3) In-Family Suite
(4) Residential Accessory Structure
(5) Nonresidential Accessory Structure
(6) Recreational Facility
(7) Landscape Feature
(8) Residential Kennel
(9) On-Site Parking
(10) Satellite Dish
(11) Personal Antenna and Towers
(12) Communication Antenna

(e) **Accessory Uses Permitted as Conditional Use.** Refer to Article III for detailed definitions and requirements for each of the following land uses.

(1) Accessory Dwelling Unit

(2) Residential Chicken Coop
(3) Residential Apiary
(4) Small Wind Energy System
(5) Small Solar Energy System

(f) **Temporary Uses.** Refer to Article III for detailed definitions and requirements for each of the following land uses. (Exempt from setbacks unless specified in Article III.)
(1) Temporary Outdoor Assembly
(2) Temporary Shelter Structure
(3) Temporary Storage Container
(4) Temporary On-Site Construction Storage
(5) Temporary Contractor's Project Office
(6) Temporary On-Site Real Estate Sales Office
(7) Temporary Relocatable Building
(8) Garage or Estate Sale

(g) **Density, Intensity, and Bulk Regulations for the (SR-4) Single Family Residential – 4 District.**

	Residential Uses	Nonresidential Uses
Minimum Lot Area	9,600 square feet	9,600 square feet
Maximum Density	4 dwelling units per acre	N/A
Minimum Lot Frontage	50 feet	50 feet
Maximum Building Coverage of Lot	50 percent	50 percent
Minimum Landscape Surface Ratio	35 percent	35 percent
Minimum Lot Width	80 feet	80 feet
Minimum Front Setback	25 feet	25 feet
Minimum Street Side Setback	25 feet	25 feet
Minimum Side Setback	10 feet	15 feet
Minimum Rear Setback	25 feet	25 feet
Maximum Principal Building Height	35 feet	35 feet
Minimum Principal Building Separation (multi-structure developments on shared lots)	20 feet	30 feet
Minimum Pavement Setback (lot line to pavement; excludes driveway entrances)	5 feet from side, or 0 feet for shared driveway; 10 feet from right of way or rear	5 feet from side, or 0 feet for shared driveway; 10 feet from right of way or rear
Minimum Parking Required	See Article III	See Article III
Minimum Garage Door Setback to Alley (if applicable)	8 feet for doors parallel to alley; 3 feet for door perpendicular to alley	8 feet for doors parallel to alley; 3 feet for door perpendicular to alley
Accessory Building Side Setback	10 feet	10 feet
Accessory Building Rear Setback	10 feet	10 feet
Maximum Accessory Building Height	Lesser of 15 feet or principal building height	20 feet

(h) **Regulations Applicable to All Uses.** Most development will also be subject to the following requirements:

(1) Article VI: Overlay Zoning Districts
(2) Article VII: Performance Standards
(3) Article VIII: Landscaping Regulations
(4) Chapter 87: Signage Regulations

Exhibit G

SECTION 84.30 (SR-5) Single Family Residential – 5 Zoning District.

(a) **Intent.** This district intends to create, preserve, and enhance areas for moderate density single family detached dwellings at an approximate density of 5 dwelling units per acre.

(b) **Principal Uses Permitted by Right.** Refer to Article III for detailed definitions and requirements for each of the following land uses.
- (1) Single Family
- (2) Two Flat
- (3) Selective Cutting
- (4) Community Garden
- (5) Outdoor Open Space Institutional
- (6) Passive Outdoor Recreation
- (7) Essential Services
- (8) Small Scale Public Services and Utilities
- (9) Community Living Arrangement (1-8 residents) meeting the requirements of Section 84.57(h)

(c) **Principal Uses Permitted as Conditional Use.** Refer to Article III for detailed definitions and requirements for each of the following land uses.
- (1) Cultivation
- (2) Clear Cutting
- (3) Indoor Institutional
- (4) Community Living Arrangement (9-15 residents) meeting the requirements of Section 84.57(i)
- (5) Bed and Breakfast
- (6) Large Wind Energy System
- (7) Large Solar Energy System

(d) **Accessory Uses Permitted by Right.** Refer to Article III for detailed definitions and requirements for each of the following land uses.
- (1) Home Occupation
- (2) In-Home Daycare (4-8 children)
- (3) In-Family Suite
- (4) Residential Accessory Structure
- (5) Nonresidential Accessory Structure
- (6) Recreational Facility
- (7) Landscape Feature
- (8) Residential Kennel
- (9) On-Site Parking
- (10) Satellite Dish
- (11) Personal Antenna and Towers
- (12) Communication Antenna

(e) **Accessory Uses Permitted as Conditional Use.** Refer to Article III for detailed definitions and requirements for each of the following land uses.

(1) Residential Chicken Coop
(2) Residential Apiary
(3) Small Wind Energy System
(4) Small Solar Energy System

(f) **Temporary Uses.** Refer to Article III for detailed definitions and requirements for each of the following land uses. (Exempt from setbacks unless specified in Article III.)
(1) Temporary Outdoor Assembly
(2) Temporary Shelter Structure
(3) Temporary Storage Container
(4) Temporary On-Site Construction Storage
(5) Temporary Contractor's Project Office
(6) Temporary On-Site Real Estate Sales Office
(7) Temporary Relocatable Building
(8) Garage or Estate Sale

(g) **Density, Intensity, and Bulk Regulations for the (SR-5) Single Family Residential – 5 District.**

	Residential Uses	Nonresidential Uses
Minimum Lot Area	7,200 square feet	9,000 square feet
Maximum Density	5 dwelling units per acre	N/A
Minimum Lot Frontage	50 feet	50 feet
Maximum Building Coverage of Lot	50 percent	50 percent
Minimum Landscape Surface Ratio	35 percent	35 percent
Minimum Lot Width	60 feet	80 feet
Minimum Front Setback	25 feet	25 feet
Minimum Street Side Setback	25 feet	25 feet
Minimum Side Setback	7 feet	15 feet
Minimum Rear Setback	25 feet	30 feet
Maximum Principal Building Height	35 feet	35 feet
Minimum Principal Building Separation (multi-structure developments on shared lots)	14 feet	30 feet
Minimum Pavement Setback (lot line to pavement; excludes driveway entrances)	5 feet from side, or 0 feet for shared driveway; 10 feet from right of way or rear	5 feet from side, or 0 feet for shared driveway; 10 feet from right of way or rear
Minimum Parking Required	See Article III	See Article III
Minimum Garage Door Setback to Alley (if applicable)	8 feet for doors parallel to alley; 3 feet for door perpendicular to alley	8 feet for doors parallel to alley; 3 feet for door perpendicular to alley
Accessory Building Side Setback	10 feet	10 feet
Accessory Building Rear Setback	10 feet	10 feet
Maximum Accessory Building Height	Lesser of 15 feet or principal building height	20 feet

(h) **Regulations Applicable to All Uses.** Most development will also be subject to the following requirements:

(1) Article VI: Overlay Zoning Districts
(2) Article VII: Performance Standards
(3) Article VIII: Landscaping Regulations
(4) Chapter 87: Signage Regulations

Exhibit H

SECTION 84.25 (C) Conservation Zoning District.

(a) **Intent.** This district is intended to preserve the natural state of scenic areas in the Village and to prevent the uncontested, uneconomical, and premature spread of residential and other development, and to help discourage intensive development of marginal or especially scenic lands, so as to prevent hazards to public and private property, and to avoid harm to the public good because of misuse of environmentally sensitive areas No residential use of any kind will be allowed in this district.

(b) **Principal Uses Permitted by Right.** Refer to Article III for detailed definitions and requirements for each of the following land uses.
- (1) Cultivation
- (2) Selective Cutting
- (3) Passive Outdoor Recreation

(c) **Principal Uses Permitted as Conditional Use.** Refer to Article III for detailed definitions and requirements for each of the following land uses.
- (1) Clear Cutting
- (2) Active Outdoor Recreation
- (3) Essential Services
- (4) Small Scale Public Services and Utilities
- (5) Large Scale Public Services and Utilities
- (6) Campground
- (7) Communication Tower
- (8) Large Wind Energy System
- (9) Large Solar Energy System

(d) **Accessory Uses Permitted by Right.** Refer to Article III for detailed definitions and requirements for each of the following land uses.
- (1) Landscape Feature
- (2) On-Site Parking
- (3) Satellite Dish
- (4) Personal Antenna and Towers
- (5) Communication Antenna

(e) **Accessory Uses Permitted as Conditional Use.** Refer to Article III for detailed definitions and requirements for each of the following land uses.
- (1) Small Wind Energy System
- (2) Small Solar Energy System

(f) **Permitted Temporary Uses.** None.

(g) **Density, Intensity, and Bulk Regulations for the (C) Conservation District.** None.

(h) **Regulations Applicable to All Uses.** Most development will also be subject to the following requirements:
- (1) Article VI: Overlay Zoning Districts
- (2) Article VII: Performance Standards
- (3) Article VIII: Landscaping Regulations
- (4) Chapter 87: Signage Regulations

Exhibit I

ARTICLE VI: OVERLAY ZONING DISTRICTS.

SECTION 84.90 Purpose.

The purpose of this Article is to establish overlay zoning districts wherein certain additional requirements are superimposed on the underlying standard zoning districts set forth in Article II of this Chapter. Each overlay district is intended to address a special land use circumstance beyond those addressed by the underlying zoning district. Special requirements include mandatory groundwater, hillside/hilltop, and natural resource protections. Any nonconforming situation (lot, use, structure, and/or site) shall adhere to the provisions of Article V.

SECTION 84.91 How to Use This Article.

A given property may lie within one or more overlay zoning district based on its geographic location. The provisions of this Article are intended to be consulted before issuance of any building permit, site plan approval, conditional use permit, zoning permit, zoning change, or land division to ensure the intended use meets all of the requirements of any applicable overlay district, in addition to the underlying standard zoning district (see Article II). For each overlay district established in this Article, a definition of the resource or geographic area is provided, followed by the specific purposes of the protective regulations governing the resource or geographic location, the method of delineating the boundaries of the overlay district, and the mandatory development regulations.

SECTION 84.92 Overlay Zoning Districts.

For the purpose of this Chapter, the following overlay zoning districts are hereby established.

Abbreviation	Meaning
DT-O	Downtown Design Overlay
GWP-O	Groundwater Protection Overlay
HILL-O	Hillside/Hilltop Protection Overlay

SECTION 84.93 Map of Overlay Zoning Districts.

Except where otherwise indicated in this Article, the overlay zoning districts are represented on the Official Overlay Zoning Map, adopted and from time to time amended by the Village of Cross Plains.

SECTION 84.94 (GW-O)Groundwater Protection Overlay Zoning District.

(a) **Purpose.** The Village of Cross Plains depends on ground water for a safe drinking water supply. Certain land use practices and activities can seriously threaten or degrade ground water quality. The purpose of this ordinance is to institute land use regulations and restrictions to protect the Village water supply and well fields, and to promote the public health, safety, and general welfare of the residents of the Village.

(b) The Groundwater Protection Overlay District includes the recharge area for the Village wells that lies within the Village limits, as described in the Village of Cross Plains Well Head Protection Plan and incorporated herein as if fully set forth.

(c) **Overlay Zones.** The Groundwater Protection Overlay District is divided into Zone A, Zone B, and Zone C, as described in the Village of Cross Plains Well Head Protection Plan.

(1) Zone A includes lands that lie within the 5-year Time of Travel from each Village well and all areas within 1,500 feet of each Village well.

(2) Zone B includes the area between the boundary of Zone A and the 25-year Time of Travel boundary for each Village well.

(3) Zone C includes the area between the boundary of Zone B and the boundary of the Zone of Influence for each Village well.

(d) **Land Use Regulations for All Zones.**

(1) The land use regulations in this Section are in addition to the land use regulations established for the underlying zoning district.

(2) **Prohibited Uses for All Zones.** Those uses declared to be prohibited have a high probability that such activities routinely associated with them (storage, use, and handling of potential pollutants) will cause groundwater contamination. Prohibited uses include, but are not limited to, the following uses within the Groundwater Protection Overlay District:

a. Septage and/or sludge spreading
b. Gasoline stations
c. Landfills or waste disposal facilities
d. Spray waste water facilities
e. Bulk fertilizer and/or pesticide facilities
f. Asphalt products manufacturing
g. Salt storage
h. Electroplating facilities
i. Paint and coating manufacturing
j. Hazardous and/or toxic materials storage
k. Hazardous and/or toxic waste facilities
l. Radioactive waste facilities

(e) **Land Use Regulations for Zone A.**

(1) **Permitted Uses in Zone A.** The following uses are permitted uses within Zone A of the Groundwater Protection Overlay District. Uses not listed in this Subsection or in Subsection (2), below, are considered to be prohibited uses.

a. Parks and playgrounds, provided there are no on-site waste disposal or fuel storage tank facilities

b. Wildlife areas

c. Non-motorized trails, such as biking, skiing, nature, and fitness trails

d. Residential, commercial, and industrial property, which is municipally sewered and free of flammable and combustible liquid and underground storage tanks

(2) **Conditional Uses for Zone A.** The following uses may be allowed as a conditional use per the requirements of Section 84.161, provided adequate groundwater protections and monitoring measures are implemented:

1. Nurseries for ornamental plants, greenhouses, and associated retail sales outlets

2. Cemeteries

(f) **Land Use Regulations for Zone B.**

(1) **Permitted Uses in Zone B.** The following uses are permitted uses within Zone B of the Groundwater Protection Overlay District. Uses not listed or referenced in this Subsection or in Subsection (2), below, are considered to be prohibited uses.

a. Parks and playgrounds, provided there are no on-site waste disposal or fuel storage tank facilities

b. Wildlife areas

c. Non-motorized trails, such as biking, skiing, nature, and fitness trails

d. Above-ground petroleum product storage tanks less than 660 gallons. All new or replaced tanks shall be installed in compliance with the requirements of the Wisconsin Department of Agriculture, Trade and Consumer Protection.

e. Residential, commercial, and industrial property which is municipally sewered or has a State-approved sewer and septic system

(2) **Conditional Uses for Zone B.** The following uses may be allowed as a conditional use per the requirements of Section 84.161, provided adequate groundwater protections and monitoring measures are implemented:

a. Nurseries for ornamental plants, greenhouses, and associated retail sales outlets

b. Cemeteries

(g) **Land Use Regulations for Zone C.**

(1) **Permitted Uses in Zone C.** The following uses are permitted uses within Zone C of the Groundwater Protection Overlay District. Uses not listed or

referenced in this Subsection or in Subsection (2), below, are considered to be prohibited uses.

a. Parks and playgrounds, provided there are no on-site waste disposal or fuel storage tank facilities
b. Wildlife areas
c. Non-motorized trails, such as biking, skiing, nature, and fitness trails
d. Above-ground petroleum product storage tanks less than 660 gallons. All new or replaced tanks shall be installed in compliance with the requirements of the Wisconsin Department of Agriculture, Trade and Consumer Protection.
e. Residential, commercial, and industrial property which is municipally sewered or has a State-approved sewer and septic system

(2) **Conditional Uses for Zone C.** The following uses may be allowed as a conditional use per the requirements of Section 84.161, provided adequate groundwater protections and monitoring measures are implemented:

a. Nurseries for ornamental plants, greenhouses, and associated retail sales outlets
b. Cemeteries
c. Any other use permitted by right or by conditional use in the underlying zoning district

(h) **Separation Distance Requirements.** The following minimum separation distances shall be maintained in the Groundwater Protection Overlay District between the well and certain land uses and facilities as follows:

(1) 60 feet between the well and any storm sewer main.
(2) 200 feet between the well and any sanitary sewer main, sanitary sewer manhole, lift station, or single family residential fuel oil tank. A lesser separation distance may be allowed for sanitary sewer main where the sanitary sewer main is constructed of water main materials and joints and pressure tested in place to meet the then current American Water Works Association C600 specification. In no case may the separation distance between the well and any sanitary sewer be less than 60 feet.
(3) 400 feet between the well and any septic tank or soil adsorption system receiving less than 8,000 gallons per day, a cemetery or storm water drainage pond.
(4) 600 feet between the well and any gasoline or fuel oil storage tank installation that has received written approval from the Wisconsin Department of Agriculture, Trade and Consumer Protection or its designated agent.
(5) 1,000 feet between the well and land application of municipal, commercial, or industrial waste; the boundaries of a land spreading facility for spreading of petroleum contaminated soil regulated under Wisconsin Department of Natural Resources Chapter NR 718 while that facility is in operation;

industrial commercial or municipal waste water lagoons or storage structures; manure stacks or storage structures; and septic tanks or soil adsorption systems receiving 8,000 gallons per day or more.

(6) 1,200 feet between the well and any solid waste storage, transportation, transfer, incineration, air curtain destructor, processing, wood burning, one time disposal, or small demolition facility; sanitary landfill; any property with residual groundwater contamination that exceeds Wisconsin Department of Natural Resources Chapter NR 140 enforcement standards that is shown on the department's geographic information system registry of closed remediation sites; coal storage area; salt or deicing material storage area; gasoline or fuel oil storage tank installations that have not received written approval from the Wisconsin Department of Agriculture, Trade and Consumer Protection or its designated agent; bulk fuel storage facilities; and pesticide or fertilizer handling or storage facilities.

(i) **Enforcement.**

(1) Any person, firm, or corporation who fails to comply with the provisions of this Section shall forfeit not less than $100.00 nor more than $500.00 for each violation, plus the costs of prosecution. Any person, firm, or corporation in default of payment of such forfeiture and costs shall be imprisoned in the county jail until payment is made, but not exceeding 30 days, or alternatively shall have those costs added to their real property as a lien against the property. Each day a violation exists or continues shall constitute a separate offense.

(2) Where any of the prohibited or conditional uses listed above in Subsections (d)(2), (e)(2), (f)(2), or (g)(2) exist within the Groundwater Protection Overlay District on the effective date of this ordinance, such uses shall be treated as nonconforming uses and any expansion thereof shall be prohibited. However, owners of these facilities may be allowed to upgrade the facilities to facilitate or enhance groundwater protection with approval of the Village Board. The procedures and standards for obtaining a conditional use shall be applicable to any such approval.

SECTION 84.95 (HILL-O) Hillside/Hilltop Overlay Zoning District.

(a) **Purpose.** This district is intended to set forth special requirements for the protection of the hillsides and hilltops from the adverse effects of development. Development in these areas, if allowed, shall be restricted so as to minimize the disturbance of land and vegetation and preserve the viewshed year-round for areas of lower elevation.

(b) **Definitions.** Hillsides, hilltop and hilltop edges are defined terms in Chapter 83 of the Village's Code of Ordinances (Land Division and Subdivision), which provisions are adopted and incorporated herein by reference.

(c) **Permitted Uses.** Permitted uses in this district shall include only those principal land uses permitted by right in the C and RH-35 zoning districts under Sections 84.25(b) and 84.26(b) respectively, except that no structures of any kind are a permitted use in this district and provided that any use in this district complies with the requirements of Chapter 83 (Land Division and Subdivision) and Chapter 65 (Erosion Control and Stormwater Management) of the Village's Code of Ordinances applicable to hillside/hilltop use.

(d) **Conditional Uses.** Those uses/structures permitted by right in the underlying zoning district may be permitted in this district as conditional uses pursuant to this Chapter and provided the following requirements are also met:

(1) All applicable requirements of Chapter 83 and Chapter 65 of the Village's Code of Ordinances.

(2) A detailed site plan is submitted by the landowner for any proposed development activity depicting the hillside, hilltop, and hilltop edge areas and the precise location of any development, land disturbing activity, and/or tree cutting activity proposed.

(3) No use will be approved that will result in a disturbance of land on areas defined as hillsides or hilltop edges.

(4) Uses on hilltops, if allowed, shall be restricted so as to minimize the disturbance of land and vegetation and preserve the viewshed year-round for areas of lower elevation.

(5) The cost for additional capital facilities required for the hilltop development shall be provided pursuant to Section 83.20(a) of the Village's Code of Ordinances.

SECTION 84.96 (NR-O) Natural Resources Protection Overlay Zoning District

(a) **Purpose.**

(1) This district is intended to set forth special requirements for the protection of woodlands and drainageways from the adverse effects of development. Woodlands provide a wide variety of environmental functions. These include atmospheric benefits such as removing airborne pollutants, carbon dioxide uptake, oxygen production, and evapotransportation returns. Water quality benefits include substantial nutrient uptake rate (particularly for nitrogen and phosphorus) and surface runoff reduction in terms of both volumes and velocities. Woodlands provide unique wildlife habitats and food sources. Woodland are excellent soil stabilizers, greatly reducing runoff-related soil erosion. Woodlands also serve to reduce wind velocities, which further reduces soil erosion. Finally, under proper management techniques, woodlands serve as regenerative fuel sources.

(2) Drainageways serve in the transporting of surface runoff to downstream areas. Drainageways serve to carry surface waters; supplement floodplain, wetland, and lakeshore water storage functions in heavy storm or melt events; filter water-borne pollutants and sediments; promote infiltration and groundwater recharging; and provide a unique habitat at the land/water margin. Drainageway protection requirements preserve each of these functions as well as greatly reducing the potential for soil erosion along drainageways by protecting vegetative groundcover in areas which are susceptible to variable runoff flows and moderate to rapid water movement.

(b) **Definitions.**

(1) Woodlands are defined as areas of trees in which combined canopies cover a minimum of 80 percent of an area of one acre or more, as shown on air photos for the Village of Cross Plains and its environs.

(2) Drainageways are non-navigable, aboveground watercourse, detention basins, and/or their environs. Drainageways include all areas within 50 feet of the ordinary high water mark of a "perennial stream," intermittent stream," or "open channel drainageway," as shown on the USGS 7.5 minute topographic maps for the Village of Cross Plains and its environs.

(c) **Determination of Boundaries.** General woodland and drainageway boundaries are depicted on the Official Zoning Map. Upon the proposal of development activity on any property containing a woodland or drainageway depicted on the Official Zoning Map, the petitioner shall prepare a detailed site analysis per the requirements of Section 84.164. This analysis shall depict the location of all woodland and drainageway areas on the subject property as described in Subsection (b) above.

(d) **Requirements.** Woodlands and drainageways shall remain in an undisturbed state except for the land uses permitted per the requirements of Subsection (e) below. Selected cutting operations are permitted by right in all woodland areas, per the

requirements of Section 84.56(d). Clear cutting is permitted as a conditional use in all woodland areas per the requirements of Section 84.56(e).

(e) **Principal Uses Permitted by Right.** Refer to Article III for detailed definitions and requirements for each of the following land uses.

(1) Selective Cutting
(2) Outdoor Open Space Institutional
(3) Passive Outdoor Recreation
(4) Active Outdoor Recreation

(f) **Principal Uses Permitted as Conditional Use.** Refer to Article III for detailed definitions and requirements.

(1) Clear Cutting

SECTIONS 84.97 - 84.99 Reserved.

Exhibit J

expenses incurred. If at any time moneys in the escrow are insufficient to pay expenses incurred by the Village for planning, legal, engineering, and staff services, the subdivider shall deposit additional amounts as determined by the Village within 15 days of written demand or further review and evaluation of the proposed development shall be delayed or terminated.

b. Payment of all administrative costs shall be a condition of any further approvals required from the Village. Further, should the subdivider withdraw the project and the amount of the escrow is insufficient to cover all of the Village's administrative, planning, legal, and engineering costs, the subdivider shall immediately reimburse the Village within 15 days of final billing. Should the subdivider withdraw the project or the project reach completion and there are sums held in escrow by the Village which shall exceed the final amount owed to the Village, the Village shall return all excess funds in escrow to the subdivider within 15 days of reconciling the final billing statement with the subdivider.

(3) **Default.** In the event of default by the subdivider, in addition to any other remedies to which the Village may be entitled, the Village shall recover from the subdivider all of its costs in enforcing this chapter, including actual attorney fees, and may elect to collect the administrative costs and all costs of collection as a special charge upon the new tax roll on lands being reviewed if owned by the subdivider pursuant to the authority of Section 66.0627, Wis. Stats.

SECTION 83.120 Variances and Waivers.

(a) **Procedure.** Variance from, or waivers of, any of the specific terms or provisions of this chapter, other than those required by state law, may be granted for any land division or subdivision. Such variance or waiver can be granted by the Village Board only after approval by the Plan Commission and only in accordance with the following procedure:

(1) A request for a variance or waiver shall be submitted in writing to the Village Administrator/Clerk-Treasurer, who shall forward the request to the Plan Commission. Variances or waivers shall be granted by the Village Board only where there is a recommendation for approval or conditional approval of the Plan Commission. A three-fourths affirmative vote of the entire membership of the Plan Commission shall be required to recommend approval or conditional approval of a variance or waiver. No variance or waiver can be recommended unless the Plan Commission determines that the variance or waiver would not be detrimental to the public good, would not substantially impair the overall intent of this chapter, and would not

5 Variances and Waivers from Chapter 83 (Land Division) are recommended by Staff as part of the approval for the Preliminary Plat. All Variances and Waivers recommended are consistent with the Development Proposal approved by the Village Board on January 25, 2016.

impede the desirable development of the Village in accordance with an adopted Comprehensive Plan.

(2) A three-fourths affirmative vote of the entire membership of the Village Board is required to grant a variance or waiver under this section. The Village Board shall grant a variance or waiver only after the Board also determines that the variance or waiver would not be detrimental to the public good, would not substantially impair the overall intent of this chapter, and would not impede the desirable development of the Village in accordance with an adopted Comprehensive Plan. The Village Board may not delete or weaken conditions of approval attached by the Plan Commission, but the Board may add further conditions or strengthen existing conditions as it deems necessary. The reasons justifying the variance or waiver, and any conditions thereon, shall be specifically entered in the minutes of the Village Board or other written document.

(b) **Other Provisions Remain Applicable.** If a variance or waiver is granted for one or more provisions of this chapter, the land division or subdivision remains subject to all other applicable provisions of this chapter and related ordinances.

(c) **Procedure Prevails.** This procedure applies to all waivers or variance requests under this chapter whether or not specifically noted and notwithstanding general waiver language.

(d) **No appeal.** The decision of the Plan Commission to deny a variance or waiver request is not appealable to the Village Board, it being the intent of this chapter to require that both the Plan Commission and Village Board approve the variance or waiver request before it can be granted.

SECTION 83.121 Appeals.

(a) Any person aggrieved by an objection to a plat or a failure to approve a plat may, after review by the Village Board, appeal therefrom as provided in Sections 236.13(5) and 62.23(7)(e)10 to 15, Wis. Stats.

(b) The provisions of Ch. 68, Wis. Stats., shall not be applicable to any determination made pursuant to the provisions of this chapter.

SECTIONS 83.122 – 83.124 Reserved

DEFINITIONS

SECTION 83.125 Definitions.

In this chapter, the following words and phrases shall have the designated meaning unless a different meaning is expressly provided or the context clearly indicates a different meaning:

Exhibit K

Village of Cross Plains
PO Box 97, 2417 Brewery Road
Cross Plains, WI 53528
Phone: (608) 798-3241
Fax: (608) 798-3817

Memorandum

To: Veridian Homes
From: Matthew G. Schuenke, Village Administrator/Clerk-Treasurer
Date: March 2, 2016
Re: **Buechner Property** – *Development Timeline*

Executive Summary

The following schedule is established in order to conform to the requirements of Chapter 82 for Annexations and Chapter 83 for Land Division as well as to meet the Developer's expectations for completing the development review in an efficient manner. There are several phases to this process including (1) Pre-Annexation Agreement; (2) Preliminary Procedures; (3) Development Proposal; (4) Annexation; and (5) Land Division. Please the following regarding the proposed timeline for Development Review to work through these phases as is required.

Phase 1 – Pre-Annexation Agreement (Section 82.05) *COMPLETE*

Phase 2 – Preliminary Procedures (Section 82.03) *COMPLETE*

Phase 3

(A) *Development Proposal* – COMPLETE

(B) USA Amendment – It is more typical to submit a USA Amendment after the Annexation Ordinance has been approved; however, this is for a boundary line adjustment and we would not have enough time to complete this task if we waited till that point. The following schedule is subject to change following contact with involved parties, but is based on a schedule discussed with DNR and CARPC at a meeting held December 16, 2015.

- ~~December 16, 2015 – Preliminary discussion with CARPC and DNR Staff.~~
- ~~January 13, 2016 – Final USAA Application submitted by Village to CARPC.~~
- ~~January 29, 2016 – CARPC Staff comments provided to Village Staff for follow-up.~~
- ~~February 1, 2016 – Village Staff response to CARPC Staff resubmitted within revised Final Application.~~
- ~~February 9, 2016 – Public Hearing notice posted and Staff Analysis released.~~
- March 10, 2016 – Public Hearing and Final Action on Recommendation by CARPC.
- March 17, 2016 – Application materials and CARPC recommendation forwarded to DNR for consideration.
- March 31, 2016 – DNR issues Administrative Decision on USA Amendment.

Phase 4 – Annexation Ordinance (Section 82.07) *COMPLETE*

Phase 5 – Land Division (Chapter 83)

In order to complete the various steps remaining following Ordinance approval, it will be necessary to overlap the various reviews to be conducted by Village Staff, Plan Commission, and Village Board. As the Plan Commission and Village Board are working on their review of various issues, the Developer and Staff will be preparing the next item for consideration. Please note the following items as part of the Land Division:

(A) Preliminary Plat – Requirements defined under Section 83.33-83.41 of the Village Code.

- ~~January 13, 2016 – First draft of Preliminary Plat submitted for Staff Review. May be incomplete with remainder of the information to be provided with future submittals.~~
- ~~January 20, 2016 – The first meeting with Village Staff to review the draft Preliminary Plat submitted.~~
- ~~February 1, 2016 – Second draft of Preliminary Plat submitted for Staff Review.~~
- ~~February 3, 2016 – The second meeting with Village Staff to review the draft Preliminary Plat submitted.~~
- ~~February 10, 2016 – Meeting between School District, Village, and Developer's Engineer.~~
- ~~February 15, 2016 – Developer will provide third draft of Preliminary Plat to Village for Staff Review. Village will provide draft Zoning Ordinance for review.~~
- ~~February 17, 2016 – The third meeting with Village Staff to review the draft for the Preliminary Plat and Zoning Ordinance. Comments provided in the meeting will be addressed by the Developer as directed by the discussion.~~
- ~~February 18, 2016 – First run of Class II Notice for March 7th Plan Commission meeting.~~
- ~~February 25, 2016 – Second and final run of Class II Notice for March 7th Plan Commission meeting.~~
- ~~February 29, 2016 – Meeting between Plastic Ingenuity, Village, and Developer's Engineer.~~
- ~~March 1, 2016 – Final submittal of the Preliminary Plat and Zoning Ordinance with all final revisions and comments addressed. Assuming there are no outstanding issues at this point, then the Preliminary Plat shall move onto the Plan Commission.~~
- ~~March 2, 2016 – Final meeting with Village Staff to review the Preliminary Plat and Zoning Ordinance in preparation for the Plan Commission meeting.~~
- March 7, 2016 – This will be the first meeting of the Plan Commission to consider a recommendation on the Preliminary Plat, Zoning Ordinance, TLE with School District, and ROW Dedication with School District. They will also hold a public hearing as part of their consideration of the Zoning Ordinance. The desired action is to make a recommendation of approval to the Village Board for all items presented.
- March 28, 2016 – The Village Board will take up the recommendation(s) of the Plan Commission, conduct its review, and take action on all items presented.

(B) *Final Plat* – Requirements defined under Section 83.45-83.52 of the Village Code.

- ~~February 15, 2016 – First draft of Final Plat submitted for Staff Review. May be incomplete with remainder of the information to be provided with future submittals.~~
- ~~February 17, 2016 – The first meeting with Village Staff to review the draft Final Plat submitted.~~
- March 14, 2016 – Developer will provide second draft of Final Plat to Village for Staff Review.
- March 16, 2016 – The second meeting with Village Staff to review the draft for the Final Plat. Comments provided in the meeting will be addressed by the Developer as directed by the discussion.
- March 25, 2016 – Final submittal of the Final Plat with all revisions and comments from the last meeting addressed. Assuming there are no outstanding issues at this point, then the Final Plat shall move onto the Plan Commission.
- April 4, 2016 – This will be the first meeting of the Plan Commission to consider a recommendation on the Final Plat.
- April 25, 2016 – The Village Board will take up the recommendation of the Plan Commission, conduct its review, and take action on the Final Plat.

(C) *Development Agreement (Section 83.11)* – This will be prepared by the Village Attorney to memorialize and finalize the approvals for the project overall. Review of this document will likely not need meetings with the entire Village Staff. At a minimum will include Village Administrator, Village Attorney, Developer, and Developer's Attorney. Other individuals can be consulted as needed but this step is typically a formality to put all actions taken on the official record. The Village Board will review and approve this document in their sole discretion with no recommendation from the Plan Commission.

- April 6, 2016 – First draft of Development Agreement submitted from Village to Developer for review. No other meetings with Staff are projected but can be scheduled upon request by either party. It is proposed that terms be discussed outside of formal meetings between parties leading up to the Village Board meeting. This will allow for the Development Agreement and Final Plat to be considered at the same time.
- April 25, 2016 – The Village Board will conduct its review and take action on the Development Agreement.

Village Staff will continue to monitor timeline through the different phases of work and will provide updates at the completion of each milestone. Times and dates are subject to change as needed in order to move the project forward. Please be advised some topics may not be completed in one public meeting (i.e. – Village Board, Plan Commission, etc.) Adjustments may be needed also throughout the process to accommodate the different review authorities in order for them to fulfill their responsibilities.

RE: ORDINANCE TO ESTABLISH THE ZONING OF PROPERTY LOCATED IN THE VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN.

Lots 1 – 44, and Outlots 1, 2, 3, and 4 of the Glacier Ridge Subdivision located in the Village of Cross Plains, Dane County, Wisconsin.

Drafted by and return to:
Attorney Paul A. Johnson
Boardman & Clark LLP
PO Box 256
Lodi, Wisconsin 53555

_____
Tax Parcel Nos.

VILLAGE OF CROSS PLAINS
ORDINANCE NO. 03-2016

ORDINANCE TO ESTABLISH THE ZONING OF PROPERTY LOCATED IN THE VILLAGE OF CROSS PLAINS

WHEREAS, Edith Buechner (hereinafter "Owner") is the Owner of certain real estate described as follows:

Lots 1 – 44, and Outlots 1, 2, 3, and 4 of the Glacier Ridge Subdivision located in the Village of Cross Plains, Dane County, Wisconsin. (hereinafter "the Property"); and

WHEREAS, the Property is currently not zoned as it has recently been annexed to the Village of Cross Plains; however, the Owner now desires to establish zoning for the Property; and

WHEREAS, pursuant to Section 62.23(7)(d), Stats., the Plan Commission held a public hearing regarding the zoning request on March 7, 2016, which was preceded by the publication of a Class 2 Notice under Chapter 985, Stats.; and

WHEREAS, following the public hearing, the Plan Commission determined that establishing the zoning classifications for the Property as requested by the Owner would promote the public health, safety and general welfare of the Village and would allow appropriate use of the Property. Therefore, the Village Plan Commission recommended that the zoning classification of the Property be changed as requested by the Owner; and

WHEREAS, the Village Board, at its meeting of March 28, 2016, approved the recommendation of the Plan Commission to establish the zoning of the Property.

NOW, THEREFORE, pursuant to Section 62.23(7)(d) Stats., the Village Board of the Village of Cross Plains, Dane County, Wisconsin does hereby ordain as follows:

Section 1. The zoning of the Property is established as follows:

a. Lots 2 – 6 and 28 – 44 shall be zoned Single Family Residential-5 (SR-5).
b. Lots 7 – 27 shall be zoned Single Family Residential-4 (SR-4).
c. Lot 1, Outlot 1and Outlot 4 shall be zoned Single Family Residential-4 (SR-4).
d. Outlot 2 and Outlot 3 shall be zoned Conservation Zoning District (C).

Section 2. The Village Clerk is directed to amend the Village's Zoning Map and Official Map to reflect these zoning classifications.

Section 3. If any provision of this Ordinance is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other provision of this Ordinance.

Section 4. This Ordinance shall take effect the day after passage and posting pursuant to law.

The above and foregoing Ordinance was duly adopted by the Village Board of the Village of Cross Plains at its meeting held on March 28, 2016, 2016, by vote as set forth below.

VILLAGE OF CROSS PLAINS

Yes: _____

By: _____
J. Patrick Andreoni, President

No: _____

Posted: _____

Attest: _____
Matthew G. Schuenke,
Administrator/Clerk-Treasurer

AUTHENTICATION

Signatures of J. Patrick Andreoni and Matthew G. Schuenke, in the capacities indicated, authenticated this ____ day of _____, 2016.

_____
Paul A. Johnson
State Bar No.: 1021492
TITLE: MEMBER, STATE BAR OF WISCONSIN

Village of Cross Plains Proposed Base Zoning for Buechner Development (upon Annexation)

Current Municipal Boundaries

Buechner Annexation Area

Proposed Development Parcel Plats

\# Lot Number

Base Zoning Districts

- SR-1 - Single Family Residential - 1
- SR-3 - Single Family Residential - 3
- SR-4 - Single Family Residential - 4
- SR-5 - Single Family Residential - 5
- DR-6 - Duplex Residenital
- MR-8 - Multi Family Residential - 8
- MR-16 - Multi Family Residential - 16
- NMU - Neighborhood Mixed Use
- CMU - Community Mixed Use
- MSMU - Main Street Mixed Use
- BP - Business Park
- LI - Light Industrial
- GI - General Industrial
- ME - Mineral Extraction
- C - Conservation
- RH-35 - Rural Holding
- PD - Planned Development

0 50 100 200 Feet

N W E S

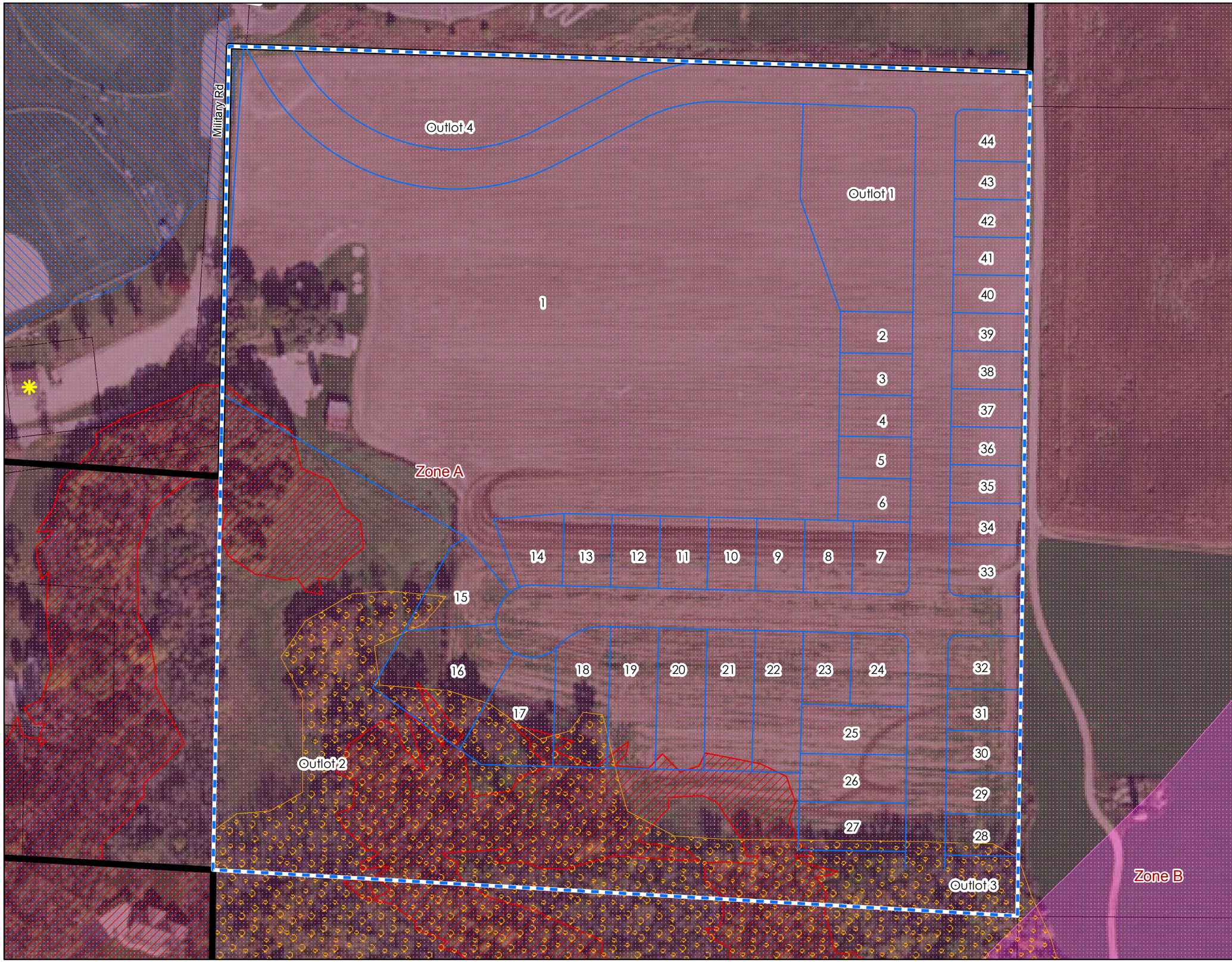
March 7, 2016

Sources: Dane County LIO, FEMA, Village of Cross Plains

VANDEWALLE & ASSOCIATES INC.
Shaping places, shaping change

Times for Friendliness
Settled 1855
Incorp. 1911
CROSS PLAINS

Village of Cross Plains Proposed Overlay Zoning for Buechner Development (upon Annexation)



Current Municipal Boundaries

Buechner Annexation Area

Proposed Development Parcel Plats

Lot Number

Well 1

Well 2

Overlay Zoning Districts*

HILL-O - Hillside/Hilltop Protection

NR-O - Natural Resource Protection - Drainageways

NR-O - Natural Resource Protection - Woodlands

GW-O - Groundwater Protection Overlay

A Zone A

B Zone B

C Zone C

Shoreland District

100 and 500 Year Floodplain

*Note: Overlay patterns on this map depict the location of these features. Overlay District requirements only apply within the Village limits, including annexing properties.

0 50 100 200 Feet

N W E S

March 7, 2016

Sources: Dane County LIO, FEMA, Town and Country Engineering, USGS, USDA, CARPC, Village of Cross Plains

VANDEWALLE & ASSOCIATES INC.
Shaping places, shaping change

CROSS PLAINS
Famous for Friendliness
Since 1855

VILLAGE OF CROSS PLAINS

2417 Brewery Road
Cross Plains, WI 53528
(608) 798-3241

Plan Commission – Public Hearing Notice

Notice is hereby given that a public hearing will be held at the Village Hall located at 2417 Brewery Road, Cross Plains, WI 53528 at 7:00 pm on March 7, 2016 before the Plan Commission regarding the following items:

1. Proposed Ordinance #03-2016 setting the zoning for Glacier Ridge Subdivision located at 2504 Military Road (Buechner Farm) as part of its annexation into the Village as a residential subdivision.

Dated this 18th and 25th day of February, 2016.

Matthew G. Schuenke
Administrator/Clerk-Treasurer

TEMPORARY LIMITED EASEMENT

RE: Lands set forth on the attached Exhibit A ("the Property").

Declaration made this ____ day of _____, 2016, by the Middleton-Cross Plains Area School District (hereinafter "Middleton").

Drafted by and Return To:
Paul A. Johnson
Boardman & Clark LLP
PO Box 256
Lodi, WI 53555

Part of 113/0707-022-8222-2
Parcel Identification Number(s)

WHEREAS, Middleton is the owner of the Property identified above; and

WHEREAS, Middleton has been informed by the Village of Cross Plains (hereinafter "Village") that VH Cross Plains LLC (hereinafter "VH") will be constructing the Glacier Ridge plat beginning in 2016; and

WHEREAS, as part of the plat construction, it is necessary for Middleton to provide the Village and VH with a Temporary Limited Easement for vehicular and pedestrian access over the Property described above until such time as the construction of the Glacier Ridge plat has been completed.

NOW, THEREFORE, it is hereby declared by Middleton as follows:

1. Middleton hereby grants a nonexclusive temporary easement for the purpose of vehicular and pedestrian access, and for the purpose of grading and other construction, to the Village, VH, and their respective contractors and invitees, over, under, upon and across the temporary easement area which is described as the Property and as illustrated by the attached Exhibit B ("the Easement Area").

2. Village, VH and their respective contractors and invitees shall, during construction, undertake and maintain necessary soil erosion control protections to prevent soil erosion within the Easement Area and to prevent the depositing of soil upon other lands owned by Middleton.

3. Any obstructions or impediments to the use of the Easement Area may be removed, without notice, by Village or VH and the cost of such removal shall be borne by the party causing or responsible for the obstruction.

4. At such time as Village, VH and their contractors and invitees have completed their work, this Declaration shall become null and void and of no further force and effect. At such time as this Declaration ceases, Village shall notify Middleton that it no longer needs the Temporary Easement, and shall execute and record any and all documents necessary to terminate this Temporary Easement. Until such time, this Declaration shall run with the land as a right and obligation appurtenant thereto.

5. Unless directed otherwise by Middleton, upon termination of this Temporary Easement, so much of the surface or subsurface of the Easement Area as was disturbed as a consequence of the use of the Easement Area shall, at the expense of Village and VH, be restored by Village and VH in substantially the same condition as it existed immediately prior to the disturbance.

6. Village and VH shall hold Middleton, its successors and assigns, free, safe, clear and harmless from any and all claims for damages, including the cost of defending against any such claims by a third party or parties arising out of the act, operations, and activities of Village, VH or their respective contractors and invitees pursuant to the grant of this Declaration.

7. The terms and provisions of this Declaration shall not be modified except by the mutual agreement of Middleton and Village and VH.

MIDDLETON-CROSS PLAINS AREA SCHOOL DISTRICT

Date: _____

_____

STATE OF WISCONSIN)
)ss.
COUNTY OF DANE)

Personally came before me this ____ day of _____, 2016, the above-named _____ to me known to be the person who executed the foregoing instrument and to me known to be such officer of the Middleton-Cross Plains School District and acknowledged the same.

_____

_____
(print name above)
Notary Public, Dane County, WI.
My Commission expires: _____

CONSENT AND SUBORDINATION

_____, as mortgagee of the lands referred to above being subjected to this Declaration of Easement, does hereby consent and agree to the terms and conditions which shall run with the land and does hereby submit and subordinate its mortgage thereto.

Dated: _____

By: _____

STATE OF WISCONSIN)
)ss.
COUNTY OF DANE)

Personally came before me this ____ day of _____, 2016, the above-named _____, as _____ of _____, to me known to be the person who executed the foregoing instrument and acknowledged the same.

_____
_____
(print name above)
Notary Public, Dane County, WI.
My Commission expires: _____

ACCEPTANCE OF EASEMENT

The Village of Cross Plains and VH Cross Plains LLC do hereby accept and agree to the terms and conditions set forth in this Declaration of Easement.

VH CROSS PLAINS LLC

_____
Jeff Rosenberg, Member

VILLAGE OF CROSS PLAINS

_____
J. Patrick Andreoni, President

_____
Matthew G. Schuenke,
Administrator/Clerk-Treasurer

STATE OF WISCONSIN)
)ss.
COUNTY OF DANE)

Personally came before me this ____ day of _____, 2016, the above-named Jeff Rosenberg, as Member of VH Cross Plains LLC, to me known to be the person who executed the foregoing instrument and acknowledged the same.

_____
_____
(print name above)
Notary Public, Dane County, WI.
My Commission expires: _____

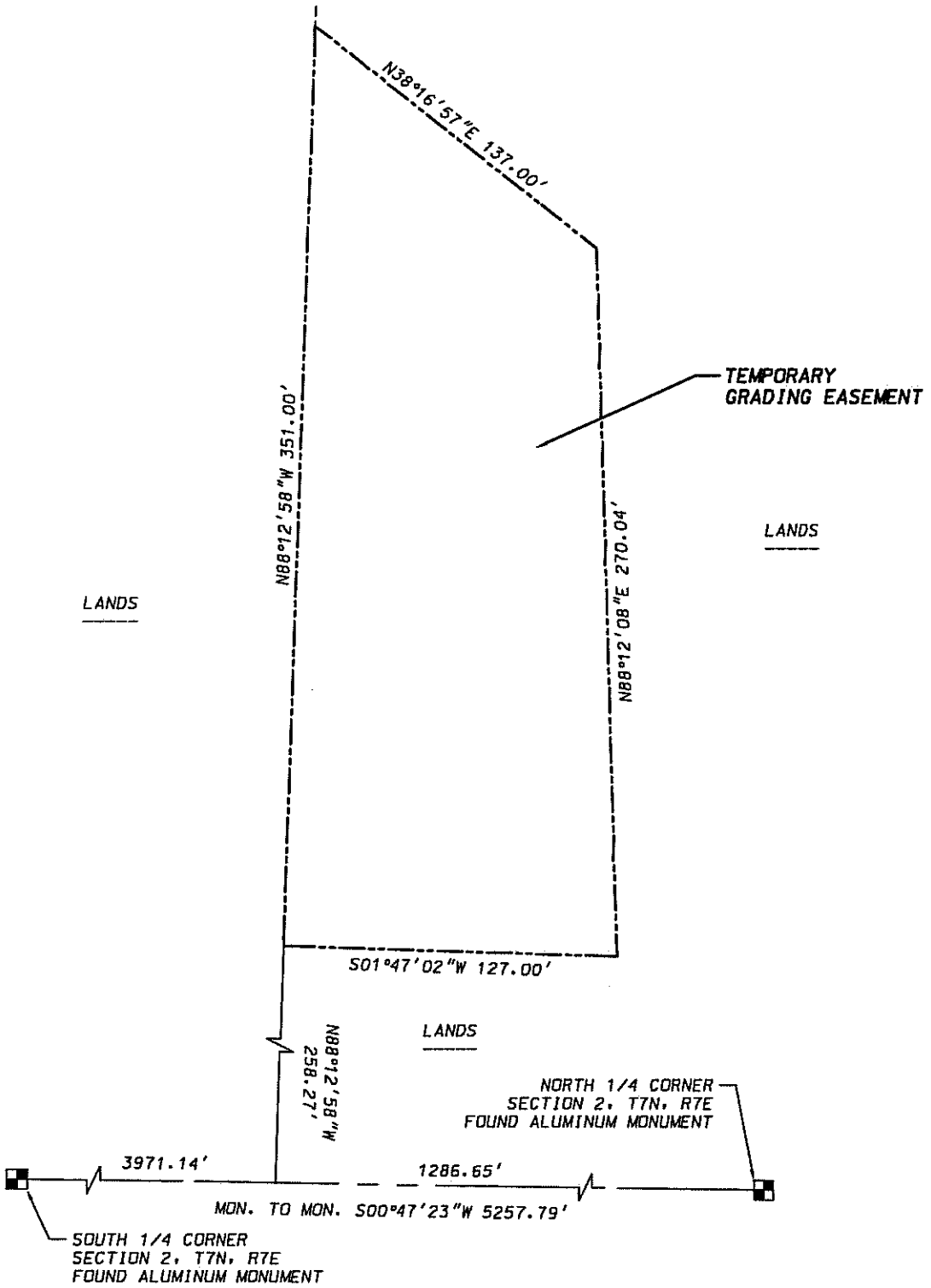
AUTHENTICATION
Signatures of J. Patrick Andreoni and Matthew G. Schuenke in the capacities indicated, authenticated on this _____ day of _____, 2016.

_____
Paul A. Johnson
SBN: 1021492
TITLE: MEMBER, STATE BAR OF WISCONSIN
(If not, _____,
authorized by Wis. Stat. §706.06)
F:\DOCS\WD\53698\98\A2399502.DOCX

LEGAL DESCRIPTION

A Temporary Grading Easement located in the NE1/4 of the NW1/4 of Section 2, T7N, R7E, Village of Cross Plains, Dane County, Wisconsin to-wit:
Commencing at the North 1/4 corner of said Section 2; thence S00°47'23"W, 1286.65 feet along the North-South line of said Section 2; thence N88°12'58"W, 258.27 feet to the point of beginning; thence continuing N88°12'58"W, 351.00 feet; thence N38°16'57"E, 137.00 feet; thence N88°12'08"E, 270.04 feet; thence S01°47'02"W, 127.00 feet to the point of beginning. Containing 36,442 square feet.

EXHIBIT
A



D'ONOFRIO KOTTKE AND ASSOCIATES, INC.

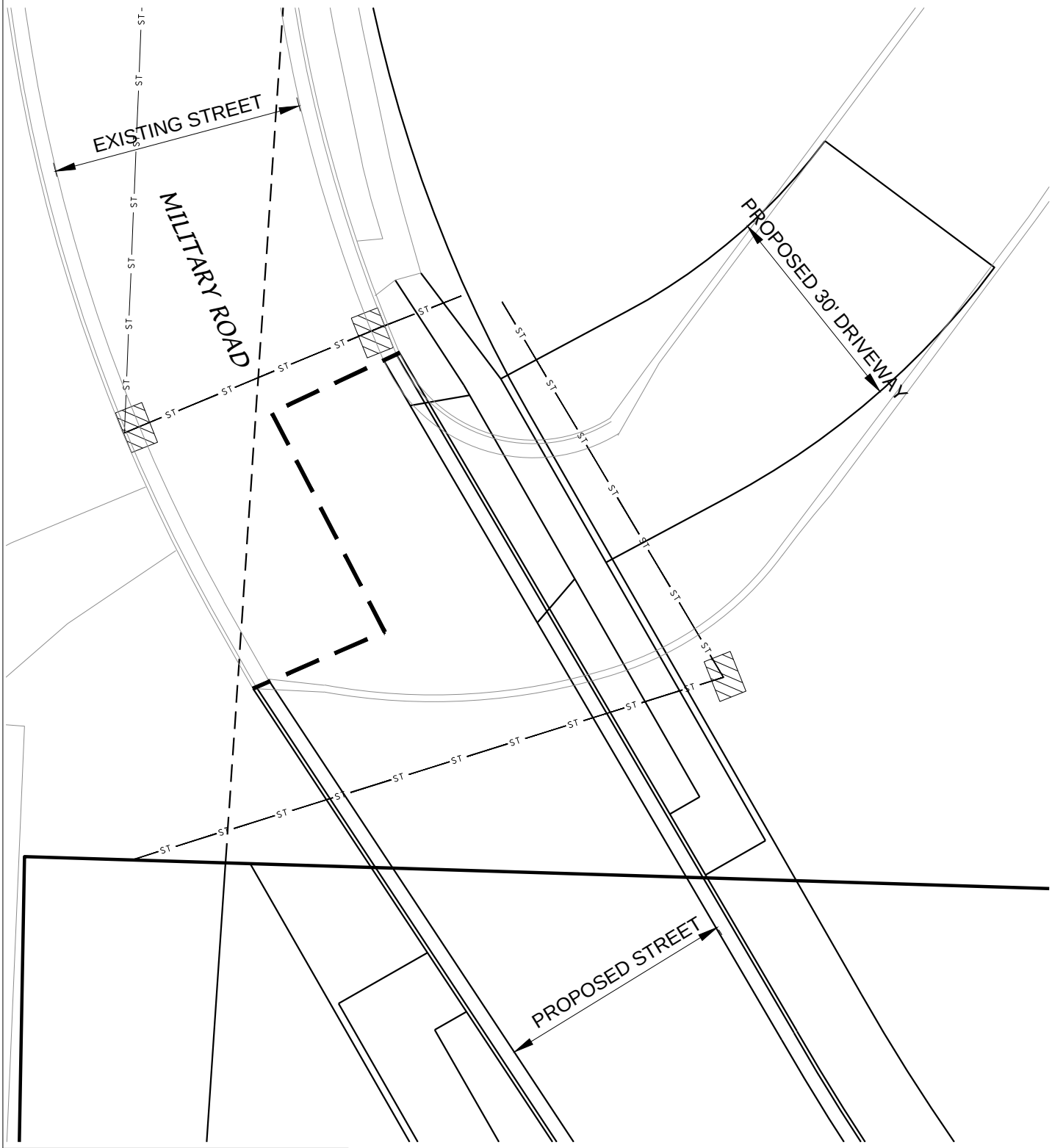
7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

0 60
Scale 1" = 60'

DATE: 02-17-16
F.N.: 15-07-123

EXHIBIT
B

GLACIER RIDGE SCHOOL ENTRANCE



D'ONOFRIO KOTTKE AND ASSOCIATES, INC.

7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

0 20
Scale 1" = 20'

DATE: 02-25-16
F.N.: 15-05-168
REV.

DRAWN BY: KWB

U:/USER/1505168/DRAWINGS/GRADING & EROSION CONTROL.DWG

State Bar of Wisconsin Form 3-2003

QUIT CLAIM DEED

Document Number

Document Name

THIS DEED, made between **Middleton-Cross Plains Area School District**

("Grantor," whether one or more), and **Village of Cross Plains, a Wisconsin Municipal Corporation**

("Grantee," whether one or more).
Grantor quit claims to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in **Dane** County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

Legal description is attached hereto as Exhibit A.

Recording Area

Name and Return Address
Paul A. Johnson
Boardman & Clark LLP
PO Box 256
Lodi, WI 53555

Part of 113/0707-022-8222-2
Parcel Identification Number (PIN)

This **is not** homestead property.
(is) (is not)

This Deed given to the Village of Cross Plains for purpose of street dedication and is exempt from the transfer fee under Section 77.25(2r) Stats.

Dated _____.

_____(SEAL) _____(SEAL)
*_____ *_____

_____(SEAL) _____(SEAL)
*_____ *_____

AUTHENTICATION

Signature(s) _____
_____
authenticated on _____.

_____
*_____
TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:
Paul A. Johnson
Boardman & Clark LLP

ACKNOWLEDGMENT

STATE OF _____)
) ss.
_____ COUNTY)

Personally came before me on _____,
the above-named _____
_____
to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

_____
*_____
Notary Public, State of _____
My commission (is permanent) (expires: _____)

(Signatures may be authenticated or acknowledged. Both are not necessary.)
NOTE: THIS IS A STANDARD FORM. ANY MODIFICATION TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

©2003 STATE BAR OF WISCONSIN
*Type name below signatures.
INFO-PRO™ Legal Forms • (800)655-2021 • infoproforms.com

LEGAL DESCRIPTION

A parcel of land located in the NE1/4 of the NW1/4 of Section 2, T7N, R7E, Village of Cross Plains, Dane County, Wisconsin to-wit:
Commencing at the North 1/4 corner of said Section 2; thence S00°47'23"W, 1286.65 feet along the North-South line of said Section 2; thence N88°12'58"W, 1223.28 feet to the point of beginning; thence continuing N88°12'58"W, 80.97 feet to the Easterly right-of-way line of Military Road; thence N03°51'14"E, 284.32 feet along said Easterly line; thence S01°17'21"W, 115.86 feet to a point of curve; thence Southeasterly along a curve to the left which has a radius of 200.00 feet and a chord which bears S14°14'38"E, 107.12 feet; thence S29°46'38"E, 76.66 feet to the point of beginning. Containing 5,927 square feet.

VILLAGE OF CROSS PLAINS
ORDINANCE NO. _____

AN ORDINANCE DEDICATING CERTAIN LAND TO THE PUBLIC

The Village Board of the Village of Cross Plains, Dane County, Wisconsin, following Plan Commission recommendation at its regular meeting on the ___ day of _____, 2016, does hereby ordain as follows:

1. The land attached hereto as Exhibit A is owned by the Village of Cross Plains and is hereby dedicated to the public for use as a public street.

Dated this ___ day of _____, 2016.

VILLAGE OF CROSS PLAINS

By: _____
J. Patrick Andreoni, President

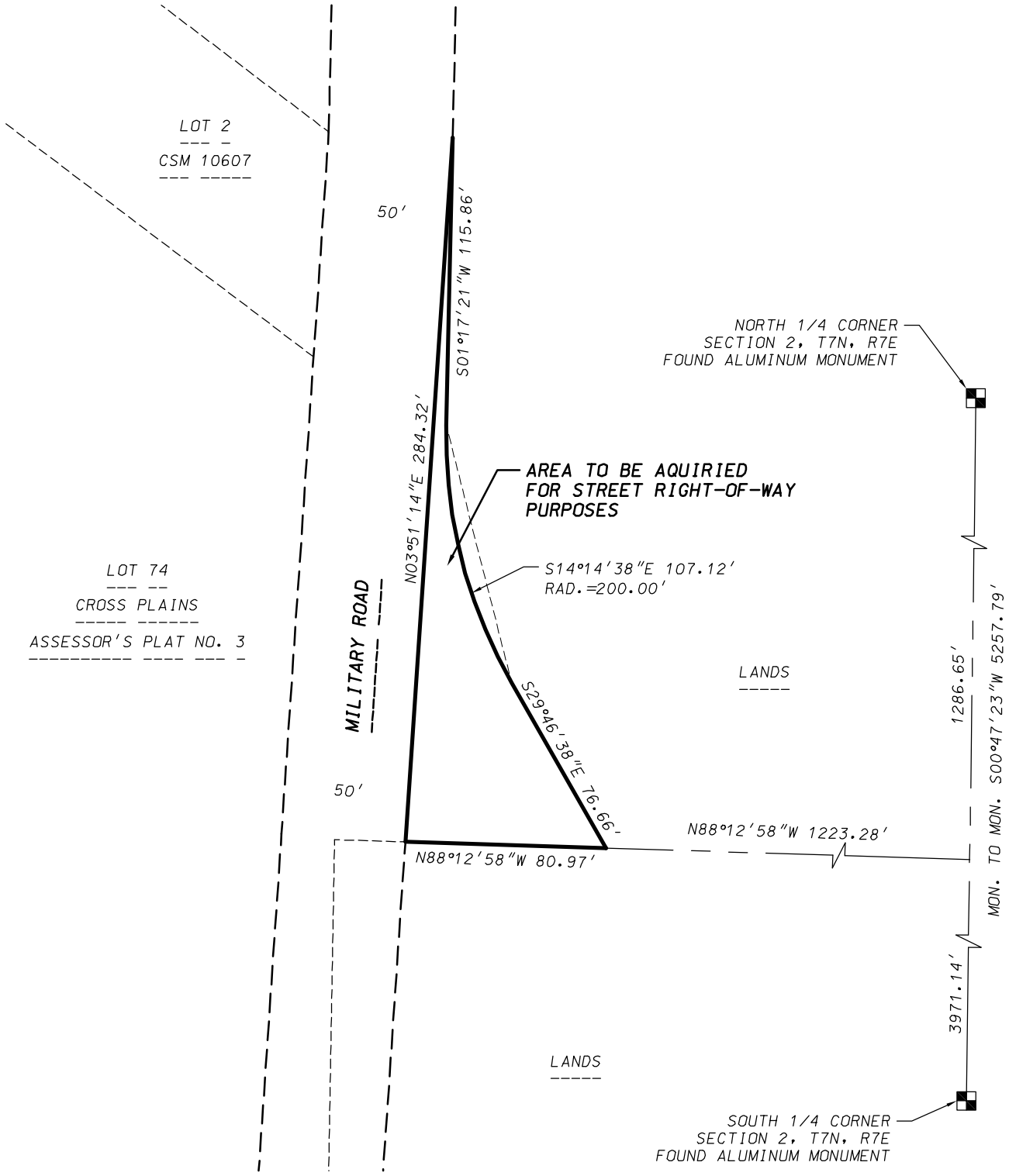
By: _____
Matthew G. Schuenke,
Administrator/Clerk-Treasurer

<u>AUTHENTICATION</u>

Signatures of J. Patrick Andreoni and Matthew G. Schuenke in the capacities indicated, authenticated on this _____ day of _____, 2016.

_____
Paul A. Johnson
SBN: 1021492
TITLE: MEMBER, STATE BAR OF WISCONSIN
(If not, _____,
authorized by Wis. Stat. §706.06)
F:\DOCS\WD\53698\98\A2399613.DOCX

EXHIBIT "A"



D'ONOFRIO KOTTKE AND ASSOCIATES, INC.

7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

0 60

Scale 1" = 60'

DATE: 02-17-16

F.N.: 15-07-123

LEGAL DESCRIPTION

A parcel of land located in the NE1/4 of the NW1/4 of Section 2, T7N, R7E, Village of Cross Plains, Dane County, Wisconsin to-wit:
Commencing at the North 1/4 corner of said Section 2; thence S00°47'23"W, 1286.65 feet along the North-South line of said Section 2; thence N88°12'58"W, 1223.28 feet to the point of beginning; thence continuing N88°12'58"W, 80.97 feet to the Easterly right-of-way line of Military Road; thence N03°51'14"E, 284.32 feet along said Easterly line; thence S01°17'21"W, 115.86 feet to a point of curve; thence Southeasterly along a curve to the left which has a radius of 200.00 feet and a chord which bears S14°14'38"E, 107.12 feet; thence S29°46'38"E, 76.66 feet to the point of beginning. Containing 5,927 square feet.

Village of Cross Plains
PO Box 97, 2417 Brewery Road
Cross Plains, WI 53528
Phone: (608) 798-3241
Fax: (608) 798-3817

Memorandum

To: Plan Commission
From: Matthew G. Schuenke, Village Administrator/Clerk-Treasurer
Date: January 28, 2016
Re: **Review of the Annexation Factors for the proposed Sundance Subdivision**

Executive Summary

The Village entered into a Pre-Annexation Agreement with Sundance Development LLC on December 16, 2013 in order to annex 142 acres of land into the Village to be developed as a residential subdivision. The Developer is responsible for completing the Preliminary Procedures including a statement on the Statutory procedure for annexation, a Development Plan, and a Financial Analysis. Village Staff has been working with the Developer on the Preliminary Procedures in order to conduct its official review against the Annexation Factors established within the Village Code. These two sections combined, Preliminary Procedures and Annexation Factors, make up the Development Proposal to be considered by the Plan Commission at its February 1, 2016 meeting in order to make a recommendation to the Village Board. This memorandum will summarize the Preliminary Procedures, review the Annexation Factors, and provide a summary of the next steps in the annexation process.

Pre-annexation Agreement

This agreement (Exhibit A) is required by ordinance in order to establish the basic initial terms by which someone can annex property into the Village. Mainly to make the individual responsible for paying the costs associated with the review of the annexation. Additionally, this agreement was somewhat unique in this case as it also provided direction on several "Pre-annexation Issues" that were to be addressed by the Development Plan within the Preliminary Procedures. Please note the following issues from the agreement and a summary of how they are addressed in the Development Proposal:

A. *"A plan for phasing in the construction of the development…"* – There are 4 phases of development noted on page 9 of Exhibit C (Development Plan).

B. *"Proof that the entirety of Brewery Road will be annexed to the Village as part of the annexation, or, in the alternative, that an intergovernmental agreement between the Village and the Town of Berry regarding the future maintenance and repair of Brewery Road can be attained*." – The annexation map is depicted on page 11 of Exhibit C (Development Plan) showing the entirety of Brewery Road being annexed into the Village. The Developer will improve Brewery Road in its entirety as part of this Development. The Village will work with

the Town of Berry through a Memorandum of Understanding regarding this improvement as its residents will use what will become a Village street constructed to urban standards. The Village may pay for some of these expenses as it relates to extending the road to possible future development sites and then assess those projects in the future to recoup these funds. The Developer is working with Dane County, a land surveyor, and the title company regarding the ownership rights of Brewery Road. Some of the property remains privately owned with the Town being required to maintain the right of way while some of the property has dedicated public right of way through prior year's certified survey maps (see Exhibit B). A survey will need to be completed to identify what slivers of land will need to dedicated as public right of way. This is common in the annexation of town roads into incorporated villages and no additional homes or properties are being added other than what is shown on the annexation map.

C. *"A secondary access road for emergency services ingress/egress to and from the Property will be developed*." – This development was previous considered in 2008 by the Village but was not pursued at that time due to a variety of factors. One of the main stipulations from the first review has carried through to the second attempt and that is the presence of a secondary access point to the Development for emergency purposes. The secondary access point is described in Exhibit C (Development Plan) on page 7 and depicted within the same attachment on page 14. The concept revolves around the shared use of an existing driveway on property presently located within the Village at the end of Hillside Trail. This is not the same concept pursued in 2008, but could fulfill the requirement of providing emergency access as needed. Please note the following key components to meeting this objective:

a. <u>"Emergency Lane" Concept</u> – The implementation of this proposal will require the Village to acquire the entire parcel located at 3037 Hillside Trail (~ 17 acres). The property will then be subdivided into three parcels for the driveway, drainage on the north, and whatever is left on the south for the existing single family home. The property with the house that is not used for the road and drainage (i.e. – remnant) will be resold by the Village. The Developer(s) will be responsible for making the Village whole on the land transactions by paying the difference in cost between the acquisition price and its eventual sale price. Additionally, the Developer(s) will be responsible for the cost of updating the driveway to an urban street design. This secondary access will then connect into a cul-de-sac on the neighboring western property and will only allow for emergency access, pedestrian use, and serve as a driveway for the existing home. This proposal has been shared by all parties involved and is thus far the preferred option in order to meet the objective.

b. <u>Larger Project</u> – The above described concept does allow for the Development to expand providing new opportunities for annexation. The Village was approached by Scott Faust in the Fall of 2015 regarding his desire to annex land into the Village (Page 11, Exhibit C) that is located immediately south of the Sundance Development and west of the property at 3037 Hillside Trail. A majority of Mr. Faust's property is not

buildable except for about 11 lots on the far northeast corner (Page 14, Exhibit C) of the land adjacent to the other two land owners in the project. This property does have an easement over it for use by the Ice Age Trail. Additional conservancy lands will be dedicated as a result of this Development that will allow for the addition of a new park with access overlooking the Village similar to Hickory Hill. Mr. Faust desires to enter into a Pre-Annexation Agreement with the Village and will share in the costs for the Development including the implementation of the "Emergency Lane" Concept described above. The Faust Development will be handled separately and at a different pace from Sundance as is desired by the parties involved.

D. *"Village approval allowing the developed lots to be serviced by well and municipal sewer*." – The project will be constructed with municipal sewer and private wells as noted on page 12 of Exhibit C (Development Plan).

Preliminary Procedures

Section 82.03 of Chapter 82 (Exhibit E) defines the requirements for the Preliminary Procedures. All requests for annexation have to fulfill these requirements in order for their request for annexation to be considered by the Village. All three items are attached for your consideration as the review process is conducted. Please note the following about each item as they are currently presented:

- *Section 82.03(a) – State Statutes (Exhibit B)*: The applicant will petition the Village for direct annexation by one-half approval as is defined in State Statute 66.0217(3)(a) (Exhibit F). The petition will be signed by the Developer and property owner located at 4923 Brewery Road as the owners of the majority of the property subject of annexation. Additionally, the property owner of 4923 Brewery Road serves as the only electors of the property subject to annexation. This will satisfy the petition process for direct annexation by one-half approval; however, it also requires a Class 1 Notice be filed with several defined jurisdictions containing a statement of the intention to circulate an annexation petition.

- *Section 82.03(b) – Development Plan Required (Exhibit C)*: The Development Plan details several planning aspects related to the proposed annexation. This includes reasoning for annexation, description on development, land use plan, municipal services needed, satisfaction of State Statutes, intended zoning, concept plan, and anything else the Village considers reasonable to be included in the Plan. The Plan provides for the development of 145 single family homes utilizing SR-3 (Exhibit F) along with related roads, sidewalks, stormwater treatment facilities, and other amenities as needed. The project also includes 44 acres of open/green space and 15 acres of an adjacent parcel planned for inclusion in the RH-35 district. All properties scheduled for inclusion on this annexation are currently outside of the Village's existing Urban Service Area and will require an amendment to include the properties from the Capital Area Regional Planning Commission (CARPC) and Department of Natural Resources (DNR).

- *Section 82.03(c) – Financial Analysis Report (Exhibit D)*: This report looks at the financial aspects of the project comparing revenues generated from new property values against projected expenses created by the properties to be served. Revenue is estimated based on the values reported by the Developer and compared against similar properties (pages 2-3). The total assessed value is derived on a per lot basis in order to apply the Village's 2016 Mill Rate. Total expenses are extracted from the 2016 Budget by line item or Department in order to be categorized as requested in the Ordinance (pages 4-5). There are approximately 1,505 parcels in the Village that is then divided by each line item to derive the per parcel expense established for the coming year. This number is then applied to the number of lots being added to the Village to calculate the estimated operating expense the Development will create. This allows for the revenue and expense to be compared as a means to project performance (page 6). The report shows that the Development will add $566,742 in new revenue at build out against $471,587 in new expense. This projection yields a surplus; however, decisions regarding the actual use of new revenue can only be determined at the discretion of the Village Board through the annual budgeting process.

Annexation Factors

Section 82.04 of the Village Ordinances provides the evaluation platform "in order to evaluate the impact of a proposed annexation on the Village." By code, "the Village may consider any factor it considers relevant including, but not limited to, the following factors:

a) *Whether the property is located within a Village urban service area* – None of the properties subject to this annexation request are located within the Village's Urban Service Area (USA). The Village will request from the DNR the property be added to the existing USA either in its entirety or a portion there-of in order for the Development to be served by municipal sewer. The topography for the northwest corner of the property will not support development and may be left out of the request to minimize the expansion. The DNR has 90 days in order to rule on the request and will take into consideration factors such as water quality, sewer plant size, density proposed, etc.

b) *Whether the property is located within a planned Village growth area as identified in a Village Land Use Map* – The Future Land Use map within the Village's Comprehensive Plan labels the buildable space within this Development as a Planned Single Family-Urban Development. Single Family–Urban category is the main residential land use design to promote single family housing. The proposed Development complies with this section of the land requirements through the use of municipal sewer and the Development Plan required within the Annexation Code. It will not; however, offer municipal water as is required by the land use chapter of the Comprehensive Plan. A waiver has already been granted by the Village Board through the Pre-Annexation Agreement. The Planned Neighborhood designation desires to promote a variety of housing choices and potentially mix in other non-residential uses. The project currently proposes to develop all lots as single family homes meeting the minimum threshold of 65%; plus a new park, conservancy dedication, stormwater features, and trail expansion. Other types of residential and non-residential uses

are not being recommended at this time by Village Staff due to the Development's edge location. The property is located within a Village Land Use Map and is planned for growth pursuant to this document.

c) *Whether the Village possesses adequate sanitary sewer capacity to serve the property once it is developed* – The Village last reconstructed the Wastewater Treatment Plant in 2008. The Village is capable in treating of wastewater through the solid waste disposal process. The Village contracts with Dane-Iowa Wastewater Plant for the final phase in disposing of the solid waste removed from the water. Current capacity for the plant is estimated at 540,000 gallons per day and we currently use 242,500 gallons per day on average. The addition of this many users is forecasted at approximately 11,250 gallons per day leaving the plant with substantial capacity post development. The Wastewater Treatment Plant has the current capacity to add the users listed in the Development Plan.

d) *Whether the Village possesses adequate municipal water capacity to serve the property once it is developed* – The Village is agreeable to the Development utilizing individual wells for water service versus a municipal water system. The height of the Development is two pressure zones higher than our existing system and would require a lot of isolated public infrastructure to support this service at implementation and going forward. This was required in the Pre-Annexation Agreement and noted within the Development. There is no effect on the municipal water capacity to serve this property.

e) *Whether the Village possesses adequate police, fire, emergency medical, public works, and administrative services to serve the property once it is developed* – Exhibit C lists the Financial Analysis report looking at the projected revenues created by new development and expenses associated with serving the properties including public safety, public works, utilities, cultural amenities, administrative services, and other costs. The proposed Development is being designed to urban standards similar to other developments within the Village. This allows for the Village to provide a consistent level of service without any unique or unusual features. The only exceptions are the use of private wells with municipal sewer and the inclusion of an emergency access lane for first responders should the primary access fail. As the Village grows, the need for staffing, materials, and the expansion of other contracted services (i.e. – garbage/recycling collection) will have to be examined in order for revenue created by the Development to pay for the expenses needed to serve it. The Village possesses adequate services to serve this property in an urban setting once developed, but will have to adjust over time as it grows.

f) *The cost of providing Village municipal services to the property once it is developed* – Approximately $2,329.57 per parcel will be spent in 2016 to provide Village services through the General Fund and another $922.76 per parcel for sewer service (Exhibit C). This is based on the 1,505 parcels currently established within the Village and a 2016 Budget of $3,506,000 for all taxable funds (i.e. General, Library, Parks/Rec, and Debt Service) and $1,388,750 for sewer as an enterprise fund. The 145 lots are projected to be completed over

the course of 4 phases with Phase 1 adding the largest projected expense at $211,401 (65 lots), Phase 2 at $94,317 (29 lots), Phase 3 at $97,570 (30 lots), and Phase 4 at $68,299 (21 lots) for a total general and sewer added expense of $471,587.

g) *Whether it is desirable to extend Village municipal services to the property* – It is not only desirable to extend Village municipal services to this location but necessary in order to implement growth in areas designated for such use within the Comprehensive Plan. Without the extension of these services, the property would develop far less dense than what is proposed and within the township. Brewery Road will need to be improved and sewer will have to be extended as part of the road construction but services are adjacent to the proposed development making them available for use.

h) *What impact the proposed annexation and development have on municipal services in the Village, and how the Village will provide such services to the property* – The proposed annexation will add 142 acres with 145 single family lots that will require additional protection of life and property as well as create infrastructure to maintain. The added population will provide new "users" for the Library, Garbage/Recycling, Parks/Recreation programs, and Sewer Utility. The added road miles and stormwater infrastructure will be maintained by Public Facilities. The Fire District will see an increase of approximately $60,900,000 equalized value to protect, and likewise, the EMS District will see an increase in their population served based on the funding formulas for each organization. The Police Department will also see an increase in areas to patrol going forward. With the core urban services established, the key for the Village will be how best to address Staffing needs to meet the demands for the expansion. Staffing needs already exist in the Police and Public Facilities Department, and there may be secondary needs that develop as well within Administrative Services, Library, Parks/Rec, Utilities, and/or public safety districts. The value added by the development will support the expansion of our services; however, additional planning is necessary according to the phasing for the Development to properly account for the integration of this expansion.

i) *The amount of property tax and other Village revenue generated by the property once it is developed* – There are 145 lots proposed within the Development with an estimated average assessed value of $420,000 per lot which at the conclusion of the project would yield a total estimated assessed value of $60,900,000. The current mill rate for the Village is $21.88 per $1,000 of value. This would generate an additional $1,332,492 for all the taxing jurisdictions and $439,722 for the Village specifically at build out. The first phase for the project will be the largest, yielding approximately $27,300,000 in value when complete; while the remaining three phases add between $9-12 million each depending on the amount of lots planned. Further, the estimated revenue generated by user charges in the Sewer Fund would bring in an estimated $127,020 per year. Total additional revenue at the conclusion of the project is estimated at $566,742, compared with the total projected expense of $471,587. Based on these projections, this will leave the Village with a possible annual surplus of approximately $95,155 to be dedicated to other needs within the Village.

j) *Whether any deficiency in the provision of municipal services can be addressed by the Village and petitioner through a pre-development agreement* – The Pre-Annexation Agreement authorized in 2013 addresses the initial deficiencies known at the outset of the project including the provision of municipal sewer but not water, secondary access for emergency vehicles, and the inclusion of Brewery Road in its entirety as part of the annexation. The discussion regarding these issues shall continue through the Staff Review and as part of the Plan Commission's review of the Development Proposal as these issues are key for the Village. The Staff Review has not uncovered any other deficiencies in the provision of municipal services. A Pre-Development Agreement may not be needed, depending on the findings of the Plan Commission review and the fact that there is already a Pre-Annexation Agreement in place.

k) *Whether the annexation is consistent with the goals, objectives, policies, and recommendations of the current Village Master Plan* – The Village's Comprehensive Plan was originally adopted by the Village on June 9, 2008 and subsequently revised the Future Land Use Map within Chapter 3 on September 24, 2012, May 20, 2013, and May 19, 2014. The Plan includes 9 Chapters reviewed against the Development Proposal as follows:

- *Chapter 1 – Issues and Opportunities*: For the last two decades, the Village has been able to exceed or stay consistent with the population growth rate for Dane County when comparing 1990, 2000, and 2010 Census data. This was achieved through robust housing growth during this same period, but has since become stagnant. The Overall Vision established within this Chapter stated that *"the Village desires a safe, clean, attractive and prosperous community that residents of all ages are proud to call home…Residents and visitors alike will be able to travel freely throughout the community by car, bike, or foot…Though ties with Madison will strengthen, the Village will retain its character and identity."* The opportunity presented with this request for annexation allows the Village to address the issue of limited growth over the last decade.

- *Chapter 2 – Agricultural, Natural, and Cultural Resources*: The main goal of this section is to protect agricultural land within the Village's planning area until such time that urban development is warranted. The annexation request for the property in question is adjacent to the Village and contiguous to Brewery Road including the municipal sewer system. The project as proposed comes to the Village at a time it is experiencing record low vacancy rates for single family lots. The conversion of this property from agricultural use to residential will still provide adequate space for stormwater management, parklands, conservancy, and trail development.

- *Chapter 3 – Land Use*: The property to be annexed is designated for growth as a planned residential neighborhood. The use of single family housing throughout was designed to maintain the consistency of the housing options due to single family lot availability being very low within the Village. There is a second property included

within this annexation that may seek development in the future. The property is owned by Greg and Kathy Roessler at 4923 Brewery Road and is being zoned Rural Holding (RH) – 35 until such time the property owner desires to adjust the zoning to allow for development. The project is being designed to urban standards in order to enhance the provision of municipal services with the exception of the use of individual wells.

- *Chapter 4 – Transportation*: Included within Exhibit B is the Traffic Study conducted for the development. The summary findings of that study stated that the "traffic added by the Sundance Subdivision will not require additional road improvements." Regardless of this study, the Village has already made an improvement to signalize the intersection of Brewery Road and Main Street through the reconstruction of US Highway 14. The Village is planning to reconstruct County Highway P (Church Street) in either 2018 or 2019 which will include an improvement to the traffic flow for the intersection of Brewery Road and Church Street. Brewery Road serves as the main access point to the subdivision from two of the main roads through the Village, and these two projects will help to enhance traffic flow to the subdivision and surrounding area. There are two entrances off of Brewery Road into the subdivision and the Pre-Annexation Agreement requires a second access point other than Brewery Road for emergency purposes. What remains to be determined is whether or not the secondary access should be an official Village road rather than just solely dedicated to emergency use. The Developer proposes to paint and sign the access as "Emergency Use Only" with no other impediments and will still require the Village to plow so it can be used if needed. Enforcement of this type of setup may be problematic depending on the final determination on the secondary access.

- *Chapter 5 – Utilities and Community Facilities*: The annexation as proposed will add parklands, conservancy property, and trail development to the Village. All of which is adjacent to existing trails and conservancy property that will allow off-road access to the remainder of the Village as well as consistent land use for this area of the Village. This project will expand the sewer system by 145 homes as well as the network of roads but will not expand the water system as they will be using individual wells. Transportation planning will also include road reconstruction for the end of Brewery Road with the extension of sewer to serve potential future developments.

- *Chapter 6 – Housing and Neighborhood Development*: The project as proposed is adjacent to existing Village developments that will allow for the expansion of the Urban Service Area. The area is also designated for growth within the Future Land Use Map and specifically for Single Family-Urban land uses. The project will make available new lots for construction and improve the housing stock within the Village; however, affordability of the lots available remains a question. Exhibit B lists the average per lot value following development at $420,000. Approximately 21.3% of our housing falls within the $300,000 to $499,000 range as determined by the US

Census Bureau with a median housing value of $236,800. Slightly over half of our housing values fall within the $200,000 to $299,000 range with the remainder of the housing stock falling under $200,000 (27.7%). It is conceivable the lots within this proposed development could command the value projected by the Developer due to their size and location, and would be adding housing at the higher end of our range.

- *Chapter 7 – Economic Development*: The median household income for the Village is presently estimated at $66,615 by the US Census Bureau. A majority of the population falls within the $50,000-$74,999 range at 26.3% and $75,000 to $99,000 range at 18.6%. The median income would likely rise within the Village due to the project value of the homes to be built in the project. The Village remains a good place to live given its proximity to the greater Madison Region and the wide variety of employment that it offers in health care, professional offices, and higher education facilities. Village Employment opportunities are very similar to what they have been since the Comprehensive Plan was completed, which could be beneficial for the service industry that dominates the job market

- *Chapter 8 – Intergovernmental Cooperation*: The Village will work with the Town of Berry regarding the annexation, reconstruction, and future use of Brewery Road as is necessary. The inclusion of Brewery Road within this development can be a benefit to both the Village, Town, and all of our residents as we have struggled for years to properly maintain the infrastructure. The annexation is only bringing in electors from the Town who want to be added to the Village. This leaves the remainder of residents who opt to stay in the Town to use the new street that will be reconstructed as part of the Development and maintained going forward by the Village. The School District and other taxing jurisdictions will also benefit from the new property value and increase in population.

- *Chapter 9 – Implementation*: Annexation requests should follow the guidelines set forth in the Comprehensive Plan to extent possible as outlined in the preceding eight chapters. The annexation as proposed is consistent with the Future Land Use Map, sewer system setup, and transportation layout for the community. Urban developments such as the one that is proposed are typically recommended for approval if they are found to be consistent with these elements of the Comprehensive Plan. The Plan Commission and Village Board shall consider these plan elements as part of its review to ensure service can be extended to the Development, the project is appropriately phased, the effect it has on intergovernmental relations, and other Statutory implications as applicable.

l) *Whether the annexation is reasonably suitable and acceptable to the Village's needs* – Figure 13 of Land Use Chapter 3 of the Comprehensive Plan (Exhibit G) states that Residential Single Family makes up 32.4% of our total land use in the Village which is more than double the next highest active land use category. The backbone of this community lies within its housing and having the availability to attract people to the high quality of life, good schools, and desirable amenities. This is evident in the building permit records from 2000-2005 when the Village was adding an average of 35 homes a year but has since declined to fewer than 4 per year between the years of 2006 through 2015. The decline in the early years can be attributed to the recession experienced beginning 2008 but most recently the lack of new permits is attributed to the limited availability of lots for development. During the last decade the Village has positioned itself well for growth with the reconstruction of the Wastewater Treatment Plant in 2008, reconstruction of Highway 14 in 2015, and continued delivery of good services. The Village will continue to improve itself going forward examining the expansion of the Zander Park Trail, reconstruction of County Highway P (Church Street), development of new public amenities at the Buechner Farm, and other projects over the course of the next 5 years. The annexation is reasonably suitable to the Village in that it provides the availability for new single family development in the Village once again while also meeting our needs for growth.

m) *Whether the Village has present or future need to annex the property based on the following factors:*

- *The necessity of orderly development of the Village* – Opportunities for single family home construction are currently lacking. The four phased approach to this Development appears consistent with the last pattern of significant growth experienced by the Village over a decade ago. Implementing the phases with available Village resources and proper expansion of services is key to the orderly development of this project.

- *The necessity to accommodate any increase in the Village population* – Population growth will be a given with this annexation as it will lead to a substantial increase once completed. This will test various Village services from the EMS District responding to calls for service to the Polling Place(s) on Election Day. Careful planning regarding the expansion of Village services during the phasing in of development is necessary to the successful accommodation of a population increase. The Village currently has the core urban services in place common similar to many full service communities that will make this growth realistic as proposed.

- *The necessity to accommodate any increase in population and economic growth that has occurred outside of the Village boundaries in planned Village growth areas* – Dense growth as is proposed with this Development cannot happen in the Town. There is no expectation within the Town that there will be significant increases in population or economic activity regardless of this annexation. Regionally, however,

Dane County remains the fastest growing metropolitan area in the State for both population and economy, while the Village has remained stagnant for years. The annexation being contemplated fulfills a present need for growth more in line with what has been experienced within the region.

- *The need for additional areas within the Village to accommodate present or reasonably anticipated industrial, commercial, residential, or institutional growth* – The need for additional areas to accommodate residential growth is clearly demonstrated by the Village's commitment to public improvements, stagnant building permits over the last decade, and the need now before us to make available new opportunities for single family home development. There are currently 15 vacant lots that could support new home construction which represents less than 1% of the total lots in the Village. Further, out of the 15 vacant lots there is only 1 currently listed for sale. The need to annex this property is present in order to provide additional areas for the Village to accommodate residential growth.

- *The need to avoid potential detrimental effects to the Village if the property is developed outside of the Village* – There are several Town properties currently served by Village roads in order to access their properties. They have no dedicated access from the Township and are only useable due to the access provided by the Village. Allowing this property to develop outside of the Village will further expand this problem and create additional traffic issues within the Village at key intersections accessing this area whereby the Developer or the Town would not be obligated to share in the cost. Further, the opportunity would be lost for the Village to grow according to urban standards and instead would be boxed in by a development designed to rural standards. The present and future need for this annexation is to allow for orderly growth within the Village according to urban standards as has been completed successfully with similar projects.

n) Whether the annexation provides benefits to the property that can be realized only by annexation to the Village – The financial gain for both the property tax base and sewer fund are present, but there are some additional benefits associated with this annexation.

- Brewery Road it its entirety will be annexed and reconstructed according to Village standards. Its present condition in some locations requires a total reconstruction that would otherwise have to be shared between the Town and Village. This annexation allows for the road to be included in this project, eliminates existing issues, and provides additional opportunities outside of this annexation for new development.

- The trail system established by the Ice Age Trail on neighboring properties can be extended into this property opening new connection points for this neighborhood to the Hickory Hill Conservancy.

- Provides several acres of conservancy dedication adjacent to existing conservancy property that can be accessed through a new dedicated trail system.

- Implementation of modern stormwater management techniques to help treat water better on site and limit run off onto neighboring Village properties to the South.

- Managed and controlled stormwater eliminating existing run-off in high rain events through drainage way to be created.

- Lasting commitment to protect the bluffs through the addition of the Faust property and the addition of more greenspace for parks and conservancy growth.

Next Steps

The Plan Commission is scheduled on February 1st to consider the Development Proposal including the Preliminary Procedures and review of the Annexation Factors in order to make a recommendation to the Village Board. The Village Board will consider the recommendation of the Plan Commission and take action on the Development Proposal following its review. Assuming the Development Proposal has been approved at this point, the Developer may file the annexation petition according to the plan outlined in the proposal. How the Developer files will depend on how the annexation ordinance gets drafted. The ordinance will include several contingencies before it can be made effective. This is outlined in Section 82.07 with the effectiveness of the ordinance being contingent upon final plat, development agreement, etc. all of which is to be designed according to the approved Development Proposal. All remaining steps including a proposed timeline are included as Exhibit H.

If the Development Proposal is not approved, then the process cannot move forward until it has been accepted by both the Plan Commission and Village Board. The review process to begin with the Plan Commission on February 1st and then the Village Board at a later date is key in making sure the Development Proposal is acceptable in order for it to move on to the next steps in the annexation process. Without acceptance, then the Development Proposal will have to be improved by the Developer based upon the direction provided by either the Plan Commission or Village Board.

Recommendation

Village Staff recommends the Plan Commission review the Preliminary Procedures prepared by the Developer, consider the Annexation Factors presented by Village Staff, and conduct its review accordingly in order to provide a recommendation to the Village Board regarding the Development Proposal as presented.

Exhibits

Exhibit A – Section 82.05 (Pre-Annexation Agreement)

Exhibit B – Section 82.03(a) (State Statutes)

Exhibit C – Section 83.03(b) (Development Plan Required)

Exhibit D – Section 83.03(c) (Financial Analysis Report)

Exhibit E – Chapter 82 (Annexation) of Village Code of Ordinances

Exhibit F – Wisconsin State Statute 66.0217 (Annexation Initiated by Electors and Property Owners)

Exhibit G – Section 84.28 (SR-3) Single Family Residential

Exhibit H – Chapter 3 (Land Use) of the Comprehensive Plan

Exhibit I – Proposed Timeline for Development Project Review

Exhibit A

PREANNEXATION AGREEMENT

Agreement made and effective this 16th day of December, 2013, by and between Sundance Development LLC (hereinafter "Developer") and the Village of Cross Plains, a Wisconsin Municipal Corporation (hereinafter "Village").

WHEREAS, Developer is interested in annexing and developing certain property owned by the Developer currently located in the Town of Berry, Dane County, Wisconsin, but to ultimately be annexed to the Village of Cross Plains, said property more particularly described on the attached Exhibit A; and

WHEREAS, the Village agrees to periodically meet with the Developer and to review the Developer's plans for the potential annexation and development prior to a formal annexation petition and formal subdivision or development submission, and the Village further agrees to meet with the Developer to review the Developer's plan for development from the period the project is submitted until the project is either approved or withdrawn; and

WHEREAS, Village Ordinances authorize the Village to require a Developer to enter into an Agreement obligating the Developer to pay all of the Village's costs and fees incurred in the review of the preliminary development and annexation plans, and the implementation of the plans as submitted, and to insure compliance with Village Ordinances so as to eliminate or reduce expenses to Village taxpayers;

NOW, THEREFORE, Developer and Village agree as follows:

1) **PAYMENT FOR REVIEW SERVICES.** The Developer agrees to pay all administrative costs incurred by the Village for studying and reviewing the proposed annexation and development plans of Developer incurred prior to and through the date of a formal subdivision or development submission. Further, the Developer agrees to pay all administrative costs incurred by the Village for studying and reviewing the proposed development plans of the Developer incurred from the date the project is submitted up to and through the date the project receives final approval from the Village or the date the project is withdrawn by the Developer. These costs shall include, but not be limited because of enumeration, legal and engineering service costs incurred by the Village in connection with the review of Developer's plans and review of compliance with all Village Ordinances. The Developer understands the legal and/or engineering consultants retained by the Village are acting exclusively on behalf of the Village and not the Developer.

2) **GUARANTEE OF PAYMENT.** The Developer agrees to reimburse the Village for all administrative costs described in Section 1 and as required by Village

Ordinance as the same shall be billed from time to time by the Village. Developer shall deposit with the Village Clerk, in escrow, the cash sum of $10,000.00 to ensure performance of the promise or guarantee of reimbursement. The Village may draw upon the escrow from time to time as necessary to reimburse the Village for fees and expenses incurred. If at any time monies in the escrow are insufficient to pay expenses incurred by the Village for the administrative costs incurred, Developer shall deposit additional amounts as determined by the Village within 15 days of written demand, or further review and evaluation of the proposed public improvements shall be delayed or terminated.

Payment of all administrative costs shall be a condition of any further approvals required from the Village. Further, should the Developer withdraw the project and the amount of the escrow is insufficient to cover all of the Village's administrative costs, the Developer shall immediately reimburse the Village within 15 days of final billing. Should the Developer withdraw the project or the project reach completion, and there are sums held in escrow by the Village which shall exceed the final amount owed to the Village pursuant to this Agreement, the Village shall return all excess funds in escrow to the Developer within 15 days of reconciling the final billing statement with the Developer.

3) **DEFAULT.** In the event of default by the Developer, in addition to any other remedies to which the Village may be entitled, the Village shall recover from Developer all of its costs in enforcing this Agreement, including actual attorney fees, and may elect to collect the administrative costs and all costs of collection as a special charge upon the next tax roll on lands being reviewed if owned by Developer pursuant to the authority of Section 66.0627, Wis. Stats.

4) PREANNEXATION ISSUES. The conceptual/development plan submitted by the Developer shall include, at minimum, all of the following to the Village's satisfaction:

A. A plan for phasing in the construction of the development on the Exhibit A Property;
B. Proof that the entirety of Brewery Road will be annexed to the Village as part of the annexation, or, in the alternative, that an intergovernmental agreement between the Village and the Town of Berry regarding the future maintenance and repair of Brewery Road can be attained;
C. A secondary access road for emergency services ingress/egress to and from the Property will be developed;
D. Village approval allowing the developed lots to be serviced by well and municipal sewer.

5) **EFFECT OF AGREEMENT.** Developer acknowledges and agrees that by entering into this Agreement, the Village is not indicating its specific approval or acceptance of any preliminary or final plat, or any specific terms of a development agreement the Village reserves all of its legal rights to approve, conditionally approve, or reject any development plan submitted by Developer at any time.

6) **BINDING EFFECT.** This Agreement shall be binding on the parties hereto together with all of their heirs, personal representatives, successors or assigns. This agreement shall remain in effect until December 31, 2016.

7) **COUNTERPARTS.** This Agreement may be assigned in one or more counterparts, with each counterpart taken together, constituting the Agreement.

In witness whereof the parties have executed this Agreement on the day and date set forth above.

DEVELOPER

By: _____
Kyo Ladopoulos, Member
Sundance Development LLC

VILLAGE OF CROSS PLAINS

By: _____
J. Patrick Andreoni, President

By: _____
Matthew Schuenke, Clerk

This instrument drafted by:
Attorney Paul A. Johnson
Boardman & Clark LLP
113 S. Main Street, Suite 301
Post Office Box 256
Lodi, WI 53555
608-592-3877 (p)
608-592-5844 (f)
pjohnson@boardmanclark.com

Regular Village Board Meeting

Meeting Minutes

Village of Cross Plains
2417 Brewery Road, PO Box 97
Cross Plains, WI 53528
(608) 798-3241

Monday, December 16, 2013
7:00 pm

I. Call to Order, Roll Call, and Pledge of Allegiance

President Andreoni called the regular Village Board meeting to order at 7:00 pm.

Present: Trustees Ray Blanchard, Doug Brunner, Judy Ketelboeter, Jay Lengfeld, Steve Schunk (arrived at 7:07 pm), Tim Statz, and President Pat Andreoni.

Also-Present: Thomas Kuester, Darla Kuester, and Dick Greffin.

II. Consent Agenda

A motion was made by Trustee Statz, seconded by Trustee Lengfeld, and unanimously carried by the Village Board to approve the Consent Agenda items as follows:

1. Minutes of the regular meeting held November 25, 2013.

2. Total Disbursements from December 1, 2013 through December 11, 2013 in the amount of $178,995 broken down as follows:
- 110 – General Fund: $119,911
- 120 – Capital Fund: $26,959
- 660 – Water Utility: $19,243
- 670 – Sewer Utility: $12,879

3. Approval of an Operator's (Bartender's) Licenses for Thomas E. Kuester.

4. Appointment of Poll Workers for the 2014-2015 Election Cycle.

5. Approval of Resolution #21-2013 regarding the designation of a Village Official that is authorized to declare Official Intent under reimbursement bond regulations.

6. Approval to strike Village Board Policy #2012-02 and replace with #2013-01 regarding the Tax Increment Financing application process.

7. Approval of a proposal from Town and Country Engineering for bidding, construction, and inspection services for the Lagoon Street Reconstruction Project.

III. Report of Village Officers

1. Village President

- Stated that he would be undergoing a medical procedure in January that may require him to be absent from some meetings.

2. Village Administrator/Clerk-Treasurer

- Stated that incumbent Village Trustee candidates have until December 27th at 5 pm to file non-candidacy paperwork if they intend not to run for re-election. All candidates including incumbents have until January 7, 2014 at 5 pm to file their paperwork to run for Village Trustee. Interested candidates should contact the Village Hall (798-3241) with questions and to receive the necessary paperwork.

3. Miscellaneous Trustee Reports – None.

IV. Public Comment – None.

V. Committee/Commission Recommendations

1. Committee of the Whole

a. Discussion and action regarding the issuance of a Class B Fermented Malt Beverage and Intoxicating Liquor License to Darla Kuester as Agent for Jodi's Saloon and Eatery located at 1821 Main Street – A motion was made by Trustee Lengfeld, seconded by Trustee Brunner, and unanimously carried by the Village Board to issue a Class B Fermented Malt Beverage and Intoxicating Liquor License to Darla Kuester as Agent for Jodi's Saloon and Eatery located at 1821 Main Street.

b. Discussion and action regarding the annual review of the Committee of the Whole meeting system – Following discussion, a motion was made by Trustee Brunner, seconded by Trustee Blanchard, and carried by the Village Board to continue the Committee of the Whole meeting system for at least through 2014, incorporate best practices as available/applicable, and include ad-hoc committees as appropriate.

c. Discussion and action to approve the adjusted 2013 Compensation Plan for employees – A motion was made by Trustee Statz, seconded by Trustee Schunk, and unanimously carried by the Village Board to approved the adjusted 2013 Compensation Plan for employees.

2. Committee of the Whole and Plan Commission

a. Discussion and action regarding a Pre-annexation Agreement with Sundance Development LLC regarding the Sundance Residential Subdivision Development

- A motion was made by Trustee Schunk, seconded by Trustee Lengfeld, for the Village Board to deny the Pre-annexation Agreement with Sundance Development LLC regarding the Sundance Residential Subdivision Development. A roll call vote was requested. Yes – Lengfeld and Schunk.

No – Andreoni, Blanchard, Brunner, Ketelboeter, and Statz. Motion failed 2 – 5.

- A motion was made by Trustee Brunner, seconded by Trustee Statz, for the Village Board to accept the Pre-annexation Agreement with Sundance Development LLC regarding the Sundance Residential Subdivision Development changing "can" to "will" in Section 4(C). A roll call vote was requested. Yes – Andreoni, Blanchard, Brunner, Ketelboeter, and Statz. No – Lengfeld and Schunk. Motion carried 5 – 2.

VI. General Business – None.

VII. Closed Session

1. A motion was made by Trustee Ketelboeter, seconded by Trustee Lengfeld, for the Village Board to meet in Closed Session at 7:44 pm pursuant to 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, specifically to discuss possible acquisition of real estate for the Lagoon Street Reconstruction Project – A roll call vote is required. Yes – Andreoni, Blanchard, Brunner, Ketelboeter, Lengfeld, Schunk, and Statz. No – None. Motion carried 7 – 0.

2. Reconvene into Open Session – A motion was made by Trustee Schunk, seconded by Trustee Lengfeld, and unanimously carried by the Village Board to reconvene into Open Session at 8:05 pm.

3. Discussion and action to acquire real estate for the Lagoon Street Reconstruction Project.

- A motion was made by Trustee Ketelboeter, seconded by Schunk, and unanimously carried by the Village Board to approve the purchase of a portion of the property needed for the project located at 2110 Main Street for an amount of $42,450 including conditions in the offer to purchase.
- A motion was made by Trustee Brunner, seconded by Ketelboeter, and unanimously carried by the Village Board to approve the purchase of the property located at 1802 Main Street for an amount of $382,000 including conditions in the offer to purchase.

VIII. Adjournment

A motion was made by Trustee Ketelboeter, seconded by Trustee Schunk, and unanimously carried by the Village Board to adjourn the meeting at 8:06 pm.

Pursuant to law, written notice of this meeting was given to the public and posted on the public bulletin boards in accordance with Open Meetings Law.

Respectfully submitted,

Matthew G. Schuenke, Village Administrator/Clerk-Treasurer

Exhibit B

January 26, 2016

Matt Schuenke
Village of Cross Plains
2417 Brewery Rd.
Cross Plains, WI 53528

Re: Sundance Property Annexation

Dear Matt,

Sundance Development LLC will be requesting annexation of the properties involved in the planned Sundance Development into the Village of Cross Plains through a 'petition for direct annexation by one-half approval' as defined in Section 66.0217(3) of Wisconsin State Statutes. These properties are currently located in the Town of Berry. A class 1 notice of intention to circulate the petition will be required per Statutes Ch.985, and must contain the required elements defined in Section 66.0217(4) of the Statutes.

Although the vast majority of the land involved in the annexation is owned by the Developer and cooperating landowners--the Roesslers--the annexation of Brewery Road necessitates the inclusion of several small portions of the Road which were never dedicated to the public (the Town) and are thus still owned by private landowners adjoining the Road ("Road Slivers").

The annexation petition will meet all of the requirements of Section 66.0217(3)(a) and can be signed by:

- All of the--and the only—qualified electors residing in the territory to be annexed: the Roesslers.
- The owners of over one-half of the land in area within the territory: the Developer and the Roesslers.
- The owners of over one-half of the real property in assessed value within the territory: the Developer and the Roesslers.

The properties proposed for annexation are as follows:

<u>Development Properties: annexed in full:</u>

1) Sundance Development
Parcel Identification Number: 080734190020
Address: n/a

2) Roessler Property
Parcel Identification Number: 080734484200
Address: 4923 Brewery Rd.

Road Slivers: ***only*** the Brewery Rd. ROW annexed:

3) Parcel Identification Number: 080734483400
Address: 4899 Brewery Rd.

4) Parcel Identification Number: 080734483710
Address: 4877 Brewery Rd.

5) Parcel Identification Number: 080735291355
Address: 4980 Brewery Rd.

6) Parcel Identification Number: 080735291551
Address: 4972 Brewery Rd.

7) Parcel Identification Number: 080735291800
Address: 4952 Brewery Rd.

8) Parcel Identification Number: 080735292010
Address: 4884 Brewery Rd.

This letter is filed to comply with the requirements of the Cross Plains Village Code Section 82.03(a).

We thank Staff for all of its work to date and look forward to continuing work with the Village on the completion of annexation, USA amendment, and Development Plan approvals.

Sincerely,

Kyo Ladopoulos
Sundance Development, LLC

Exhibit C

SUNDANCE
DEVELOPMENT PLAN
Cross Plains, Wisconsin

12/29/2015

Owner
Oregon Parks, LLC
5440 Willow Road, Suite 101
Waunakee, WI 53597

Developer
Sundance Development LLC

Engineer
D'Onofrio Kottke
Ronald Klaas, Lead Engineer

TABLE OF CONTENTS

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1. LAND RESOURCES 6
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APPENDICES 10

INTRODUCTION

The lands proposed for development lie to the north of the existing corporate limits and are adjacent and contiguous with the Village.

The total acreage, as measured from the center of the right of way, is 142 acres more or less. The lands' topography is high plateau, gently falling to the west in elevation.

The entire parcel, except for the woodland to be preserved and the protected 20 percent slopes, is ready for development. It does not contain wetlands, or any other physical barriers impacting development.

Proposed utility routes are down slope and adjacent to this parcel. Sundance development will be on municipal sewer connecting to the existing sewer at the intersection of Brewery Road and Laufenberg Blvd, and private wells. One sanitary sewer lift station will be required (see Sewer Main Map).

Brewery Road, a collector street, is adjacent to the parcel running north-south. It leads to HWY 14 and P, regional traffic interceptors, which lead to the 'central', 'east' and 'west' sides of the Madison metropolitan area. Brewery Road is a key collector street and transportation link to the existing Village roadway system as well as to planned Village expansion to the north as envisioned in the most recent Comprehensive Plan.

The proposed development is a logical direction for the Village to expand:

a) Village growth is circumscribed by ecologically sensitive areas to the south, which are restricted to protect water quality for Black Earth Creek.
b) The entirety of the planned development area is already included in the Village's Comprehensive Plan map as Planned Neighborhood.

The development would require the land involved to be annexed into the Village and would also require an expansion of the Village's Urban Service Area as the area is not currently covered by the existing USA.

SPECIAL FEATURES

The site contains unique features that the development plan incorporates.

1. GEOGRAPHY AND SERVICES

The site is on a high plateau well above the existing pressure levels of the Village water service system. At the same time, the Village needs to support the cost and substantial capacity in its recently upgraded sewer plant. The Sundance development therefore incorporates the use of municipal sewer with private wells for water.

To contribute to the maintenance of water quality, the development also incorporates a swale-based road profile and storm-water system similar to the development on Gil's Way. This

improves water quality and reduces runoff by encouraging much more natural infiltration than a traditional gutter-and-storm-drain system.

Private wells preclude multifamily development (beyond duplex). This is not an impediment to the proposed design because its location and character is suited to higher-end single-family home lots. The absence of fire hydrants can be accommodated by the rural fire fighting capabilities of the local Fire Department.

2. TRAIL CONNECTIVITY

The property is uniquely situated adjacent to the Ice Age Trail (IAT). In cooperation with the Ice Age Trail Association, the development provides connectivity between the IAT and the neighborhood's internal trail network.

The trail network is an attractive amenity for the neighborhood, Village residents and visitors. As trail-goers are likely to take advantage of the site as a mini-trailhead for enjoying the IAT, the development plan includes an off-street parking area giving access to both the local trail network and the IAT.

2. ISOLATED VIEWSHED

Despite it's high elevation, the vast majority of the site is visually isolated from the adjacent Village, as it primarily slopes to the West. The unique combination of connectivity and seclusion enhances the high-end residential value of the planned neighborhood.

LAND USE

Due to its unique geography and sizeable lots, we envision a high-end residential profile for the Sundance development.

The neighborhood design sets aside and dedicates to the Village significantly sized parcels for conservancy.

A Village neighborhood park and picnic area of over 2 acres is included at a central location for the neighborhood, identified as "Outlot 4" in the Concept Development map (see appendices). In addition to the practical position within the neighborhood, the park represents one of the highest elevations and the flattest areas in a geography dominated by rolling terrain.

Cross Plains has run out of lots available for building single family dwellings. In combination with the economic downturn the community—while only six minutes away from Middleton and close to the Madison metropolitan area—has not had significant growth for many years. As a consequence commercial activity has been limited, and Village real estate taxes have flattened out with older structures.

Of the 142 acres Sundance is proposing to annex (not including the Brewery Rd R.O.W):

- 44 acres are devoted to open/green space

- 15 acres constitute the Roessler parcel
- 64 acres (145 lots) are devoted to single family dwellings
- the rest will be R.O.W.

With the sizeable green-space areas, the development density is relatively low at 0.88 dwellings per acre. Vistas are primarily internal to the development and to the surrounding bluffs—there is very little visibility between the proposed development and the existing Village. The Sundance Development would be a premier housing development for Cross plains. The unique geography and large estate-sized lots are likely to attract larger homes with higher values.

The proposed lots are a mixture of large estate lots and some medium sized lots for single family dwellings.

The Zoning will be SR-3 single-family subsequent to development, with the exception of the Roessler parcel, which will be RH-35 rural holding.

ENVIRONMENTAL IMPACT

1. LAND RESOURCES

Any changes in relief and drainage patterns will be designed so as to limit run-off and lead the excess water into on site designated water detention areas expected to improve the existing run off situation.

The 20% slopes are shown on the enclosed map and the lots abutting such areas are designed so that building envelopes conform to the ordinance requiring a 150' buffer from 20% slopes.

There is a drainage way containing more than 5 acres of land (see intermittent stream on map). The drainage way will be preserved as is.

The parcel is a high plateau area with the highest elevation at 1120 feet.

The Dane County Soil survey shows soils which may contain areas with bedrock within 6' from the surface located mostly in the undeveloped and preserved areas.

2. WATER RESOURCES

The woodland area is traversed by an intermittent stream and is shown on the enclosed map. The woodlands are to be preserved in their current state.

3. BIOLOGICAL RESOURCES

The parcel is made up of three significant components. The cropland which is intended for development, the woodland which is intended for preservation and the undeveloped pastureland, which is intended for parkland and conservancy.

We have applied to the Wisconsin DNR for an endangered resources evaluation and there are none. As development is restricted to current farmland areas, and we are not proposing any development in the woodland areas, we don't expect impact on any sensitive plant or animal life.

TRANSPORTATION & TRAFFIC

Brewery Road is a collector street. The development will increase traffic by more than 10% on Brewery Road. However it will not increase traffic by more than 10% on regional collectors HWY 14 and CTH P.

A detailed traffic study was prepared in 2008 and reviewed for the Village by its traffic consultant (Terry Beuthling of HNTB). The study had comparable assumptions to the current development plan. Its findings showed modest increases in traffic wait times from the completed development. The maximum traffic increase in wait time across key intersections averaged 3.1

seconds. The low was 0.2 seconds (14 & P, Morning Peak), with a high of 6.9 seconds (Brewery & P, Afternoon Peak). “Level of Service” at the intersections remained unchanged—at existing “B” and “C” levels—with the exception of Brewery & P which went from “B” to “C” during the Afternoon Peak hour only. (Level “C” is considered an “average” or “typical” wait time for an intersection).

The current expansion of HWY 14—including the addition of a traffic light at the intersection of HWY 14 at Brewery Road—will further ease the impact of the additional traffic created.

An “Emergency Lane” is proposed at the South end of the development. The purpose of the lane is for emergency vehicle access to the development in the event that the primary access along Brewery Rd. is temporarily cut off for some reason--downed tree or power line, etc. This road will be dedicated as Village-owned Right-of-Way. Pedestrian access will be allowed but non-Village vehicle access will be restricted by the use of signage and potentially other measures as needed (gate, etc.).

PROPERTY TAXES AND SCHOOL DISTRICT

Assuming that the new development’s children are equally divided between elementary, middle school, and high school the child population of this subdivision when fully built will not increase the school population of any one school more than 7%. We assume the number of students added based on the Middleton Cross Plains School District value of 0.4 children/Single-family Dwelling Unit. It is worth noting, however, that the Sundance development may end up with a somewhat lower average value as estate lots such as are proposed can have slightly less school-age children than average. Homeowners in these types of lots tend to be second-home, move-up buyers whose children are more likely than average to be grown or in college.

Below is conservative estimate of the tax revenue that may be expected by the development, and its economic impact on the school district. (Refer the MSR Economic Impact Analysis commissioned by the Village for additional detail.)

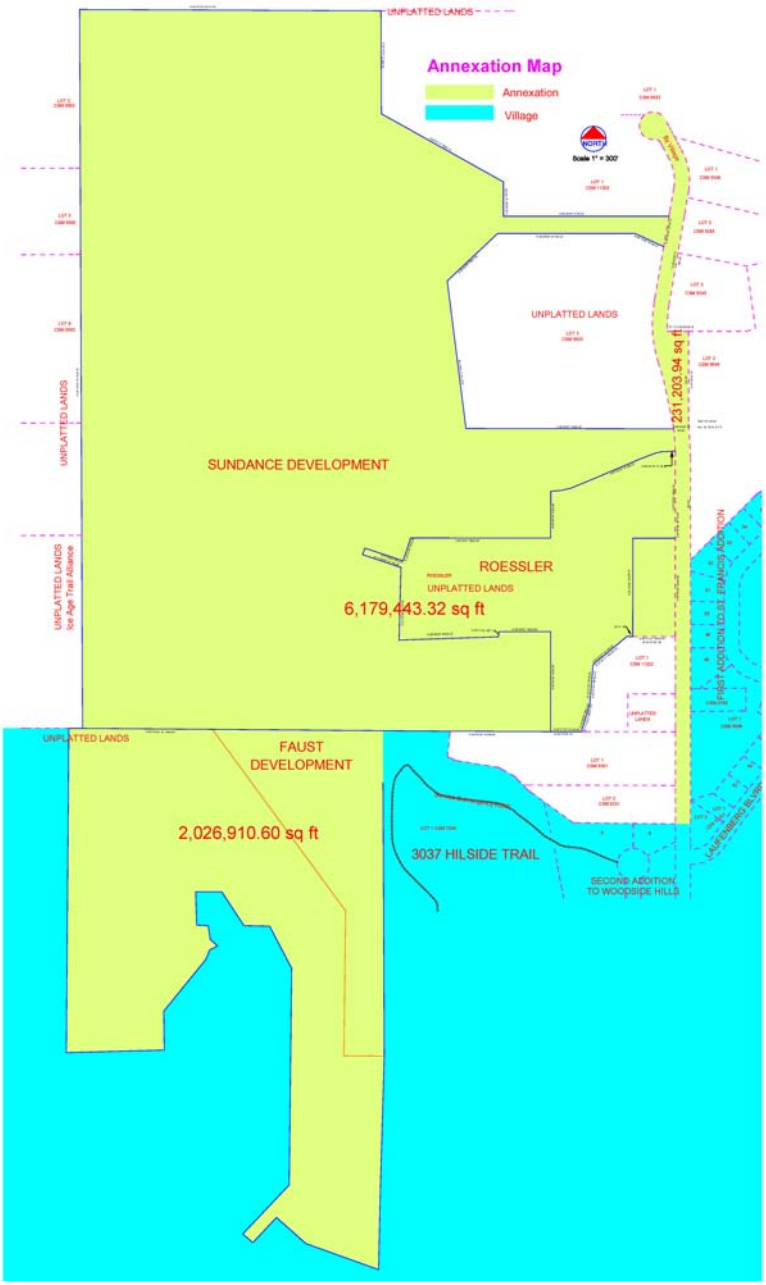
Projected Annual Tax Revenue

Market Value / Single-Family Dwelling Unit	$420,000
TOTAL Value (145 DU)	$60,900,000
Property Tax Value (21.42 mill rate)	$1,304,478
School Share (51%)	$665,284
MATC Share (6.9%)	$90,009

ANNEXATION & PHASING

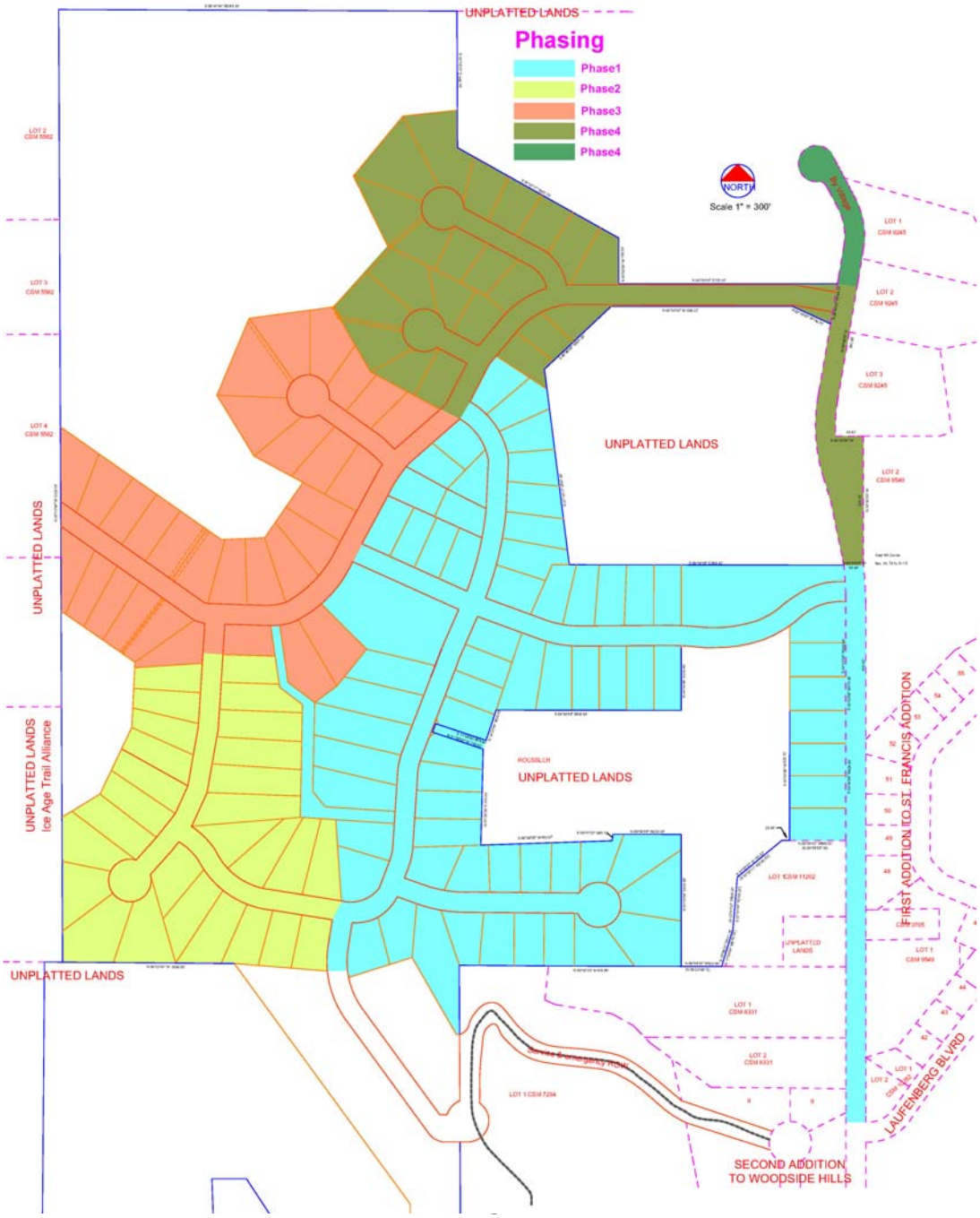
Annexation will include the development lands as well as the full extent of Brewery Road. This simplifies the ownership and maintenance of the Road, which is currently split between the Village and the Town of Berry. While this creates two "town islands", it is preferable to:

a) Clarify the situation of Brewery Rd. which is practically a Village road but not currently to Village standards for all its extent.
b) Avoid the forced annexation of any Town residents who do not wish to be annexed at this time.



All Town residents along Brewery Road are currently transportation-isolated from the rest of the Town and must transit through the Village. This situation will remain the same with the new development but Brewery Road will be improved to Village standards, modified as needed to suit the topography (slopes).

The development will be constructed in four phases, with construction occurring as lots are sold based on market conditions. With the exception of the larger Phase 1, each phase will consist of roughly 30 home lots and attendant infrastructure. The new neighborhood park (Outlot 4) will be included in the first phase.



APPENDICES

A. Maps (Full-Size)
B. Traffic Study

Annexation Map

Annexation

Village

NORTH

Scale 1" = 300'

UNPLATTED LANDS

LOT 2 CSM 5582

LOT 3 CSM 5582

LOT 4 CSM 5582

UNPLATTED LANDS

UNPLATTED LANDS
Ice Age Trail Alliance

SUNDANCE DEVELOPMENT

LOT 1 CSM 9833

By Village

LOT 1 CSM 11203

LOT 1 CSM 9245

LOT 2 CSM 9245

LOT 3 CSM 9245

UNPLATTED LANDS

LOT 2 CSM 9833

231,203.94 sq ft

LOT 2 CSM 9549

East 1/4 Corner
Sec. 34, T8 N, R 7 E

ROESSLER

ROESSLER

UNPLATTED LANDS

6,179,443.32 sq ft

LOT 1 CSM 11202

UNPLATTED LANDS

CSM 3705

FIRST ADDITION TO ST. FRANCIS ADDITION

LOT 1 CSM 9549

UNPLATTED LANDS

FAUST DEVELOPMENT

2,026,910.60 sq ft

LOT 1 CSM 8331

LOT 2 CSM 8331

Service & emergency ROW

LOT 1 CSM 7294

3037 HILSIDE TRAIL

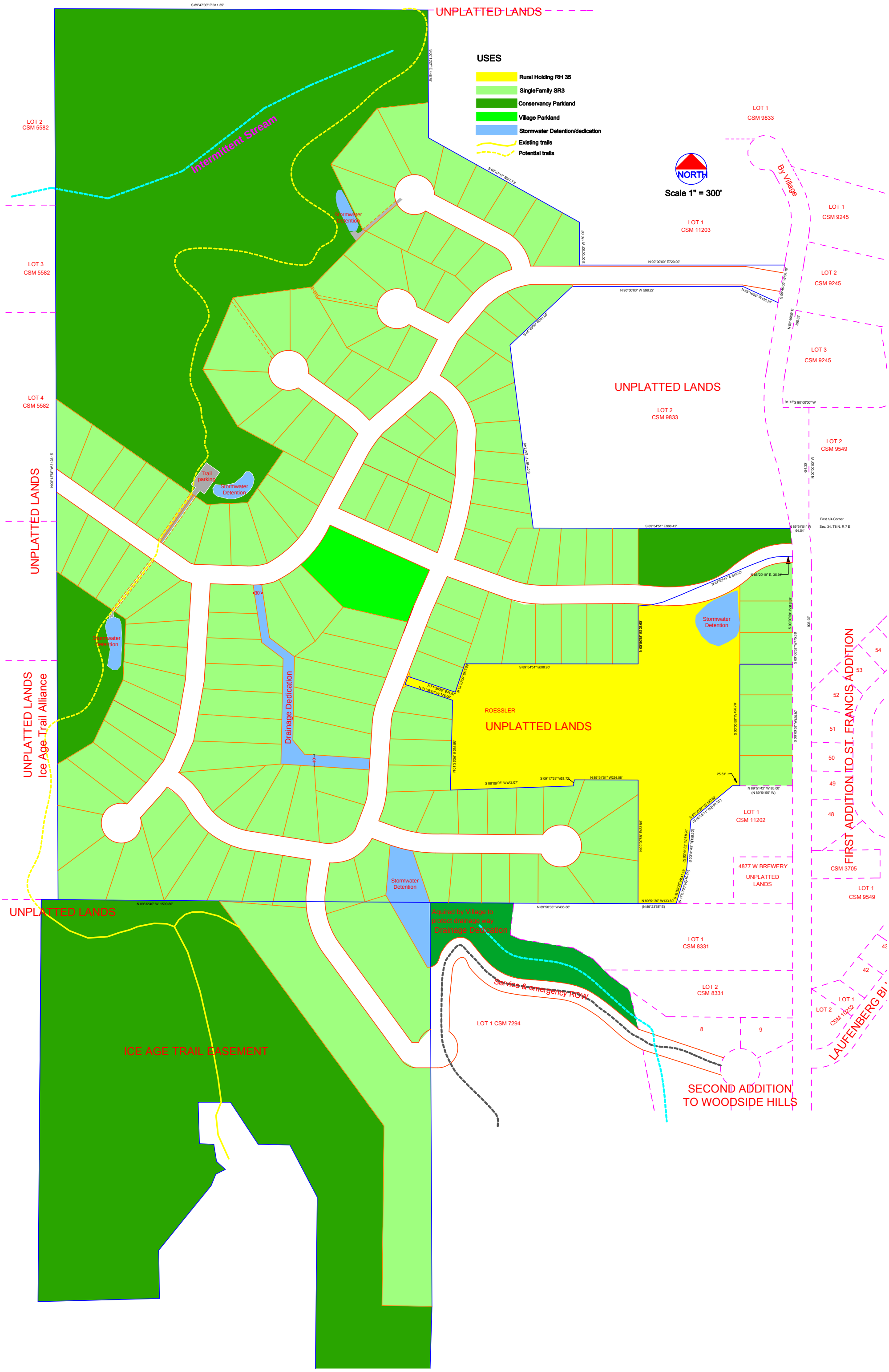
LOT 1

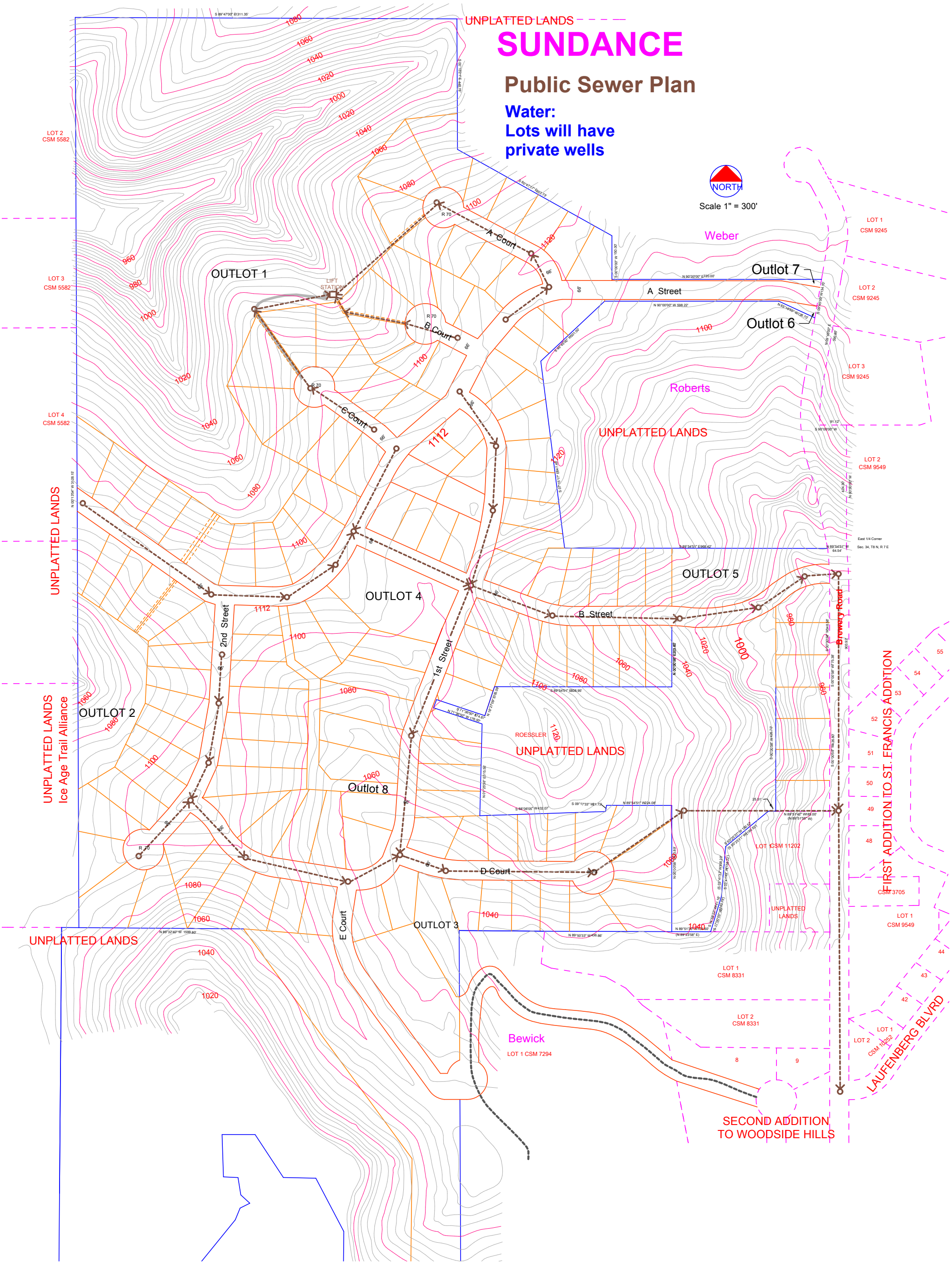
LOT 2

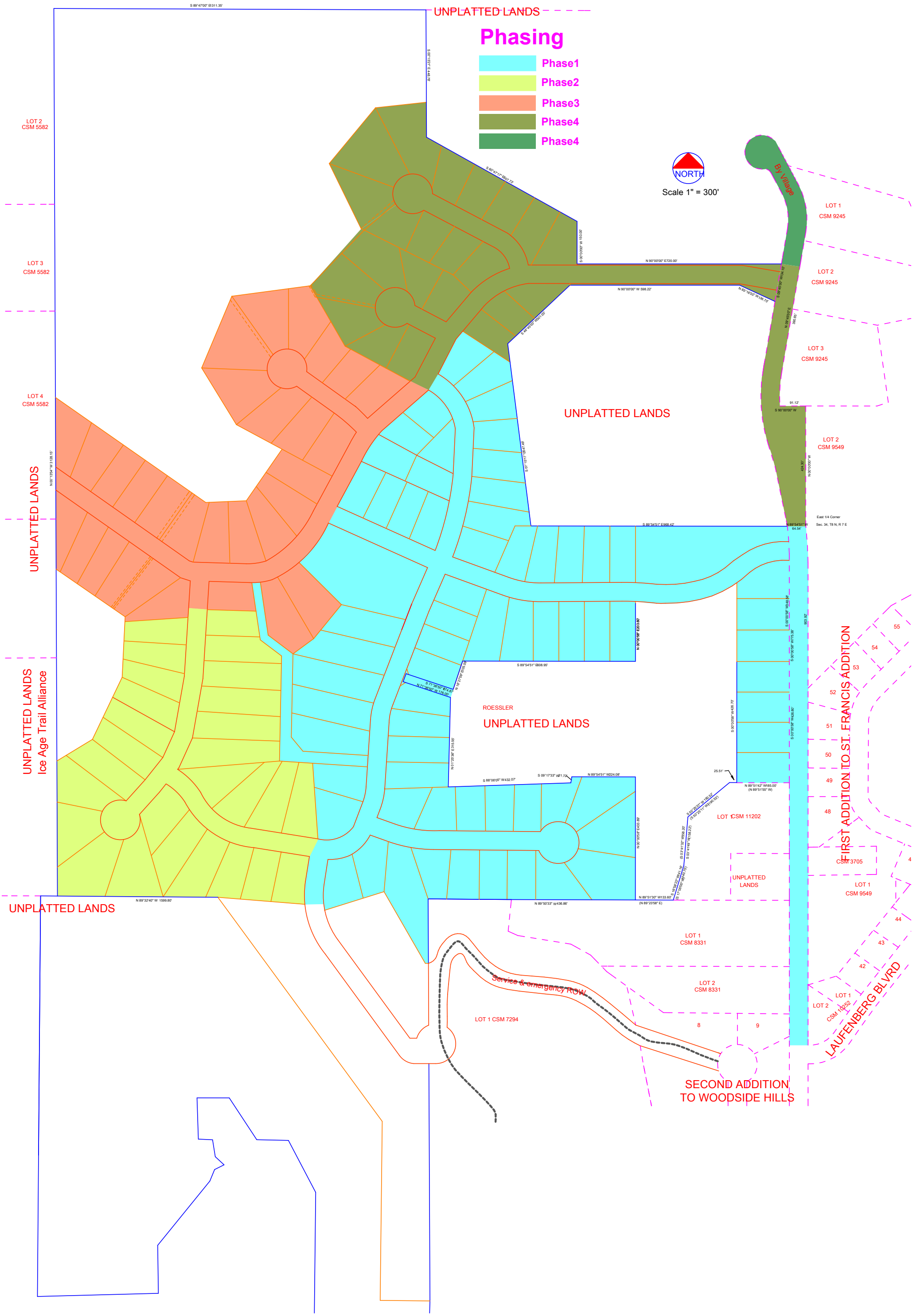
CSM 10232

LAUFENBERG BLVD

SECOND ADDITION
TO WOODSIDE HILLS


UNPLATTED LANDS
USES
Rural Holding RH 35
SingleFamily SR3
Conservancy Parkland
Village Parkland
Stormwater Detention/dedication
Existing trails
Potential trails
NORTH
Scale 1" = 300'
Intermittent Stream
LOT 2
CSM 5582
LOT 3
CSM 5582
LOT 4
CSM 5582
UNPLATTED LANDS
UNPLATTED LANDS
Ice Age Trail Alliance
LOT 1
CSM 9833
By Village
LOT 1
CSM 9245
LOT 2
CSM 9245
LOT 3
CSM 9245
LOT 1
CSM 11203
UNPLATTED LANDS
LOT 2
CSM 9833
LOT 2
CSM 9549
Stormwater Detention
Trail parking
Stormwater Detention
Stormwater Detention
Drainage Dedication
ROESSLER
UNPLATTED LANDS
Stormwater Detention
LOT 1
CSM 11202
4877 W BREWERY
UNPLATTED LANDS
FIRST ADDITION TO ST. FRANCIS ADDITION
CSM 3705
LOT 1
CSM 9549
Stormwater Detention
Acquired by Village to protect drainage way
Drainage Dedication
UNPLATTED LANDS
LOT 1
CSM 8331
LOT 2
CSM 8331
Service & emergency ROW
LOT 1 CSM 7294
ICE AGE TRAIL EASEMENT
SECOND ADDITION TO WOODSIDE HILLS
LAUFENBERG BL


SUNDANCE
Public Sewer Plan
Water:
Lots will have
private wells
NORTH
Scale 1" = 300'
UNPLATTED LANDS
OUTLOT 1
OUTLOT 2
OUTLOT 3
OUTLOT 4
OUTLOT 5
Outlot 6
Outlot 7
Outlot 8
LIFT STATION
A Court
B Court
C Court
D Court
E Court
A Street
B Street
1st Street
2nd Street
Brewery Road
Weber
Roberts
Bewick
ROESSLER
LOT 2 CSM 5582
LOT 3 CSM 5582
LOT 4 CSM 5582
LOT 1 CSM 9245
LOT 2 CSM 9245
LOT 3 CSM 9245
LOT 2 CSM 9549
LOT 1 CSM 9549
LOT 1 CSM 8331
LOT 2 CSM 8331
LOT 1 CSM 7294
LOT 1 CSM 10252
LOT 2 CSM 10252
CSM 3705
LOT CSM 11202
FIRST ADDITION TO ST. FRANCIS ADDITION
SECOND ADDITION TO WOODSIDE HILLS
LAUFENBERG BLVRD
UNPLATTED LANDS
Ice Age Trail Alliance


UNPLATTED LANDS
Phasing
Phase1
Phase2
Phase3
Phase4
Phase4
NORTH
Scale 1" = 300'
By Village
LOT 2
CSM 5582
LOT 3
CSM 5582
LOT 4
CSM 5582
UNPLATTED LANDS
UNPLATTED LANDS
Ice Age Trail Alliance
UNPLATTED LANDS
LOT 1
CSM 9245
LOT 2
CSM 9245
LOT 3
CSM 9245
LOT 2
CSM 9549
UNPLATTED LANDS
East 1/4 Corner
Sec. 34, T8 N, R 7 E
ROESSLER
UNPLATTED LANDS
LOT 1 CSM 11202
UNPLATTED LANDS
LOT 1
CSM 9549
FIRST ADDITION TO ST. FRANCIS ADDITION
UNPLATTED LANDS
LOT 1
CSM 8331
LOT 2
CSM 8331
Service & emergency ROW
LOT 1 CSM 7294
LOT 1
LOT 2
CSM 10252
LAUFENBERG BLVRD
SECOND ADDITION
TO WOODSIDE HILLS

SUNDANCE DEVELOPMENT TRAFFIC STUDY

simulation by
Professor A. Skabardonis
Institute of Traffic Studies
UC Berkeley

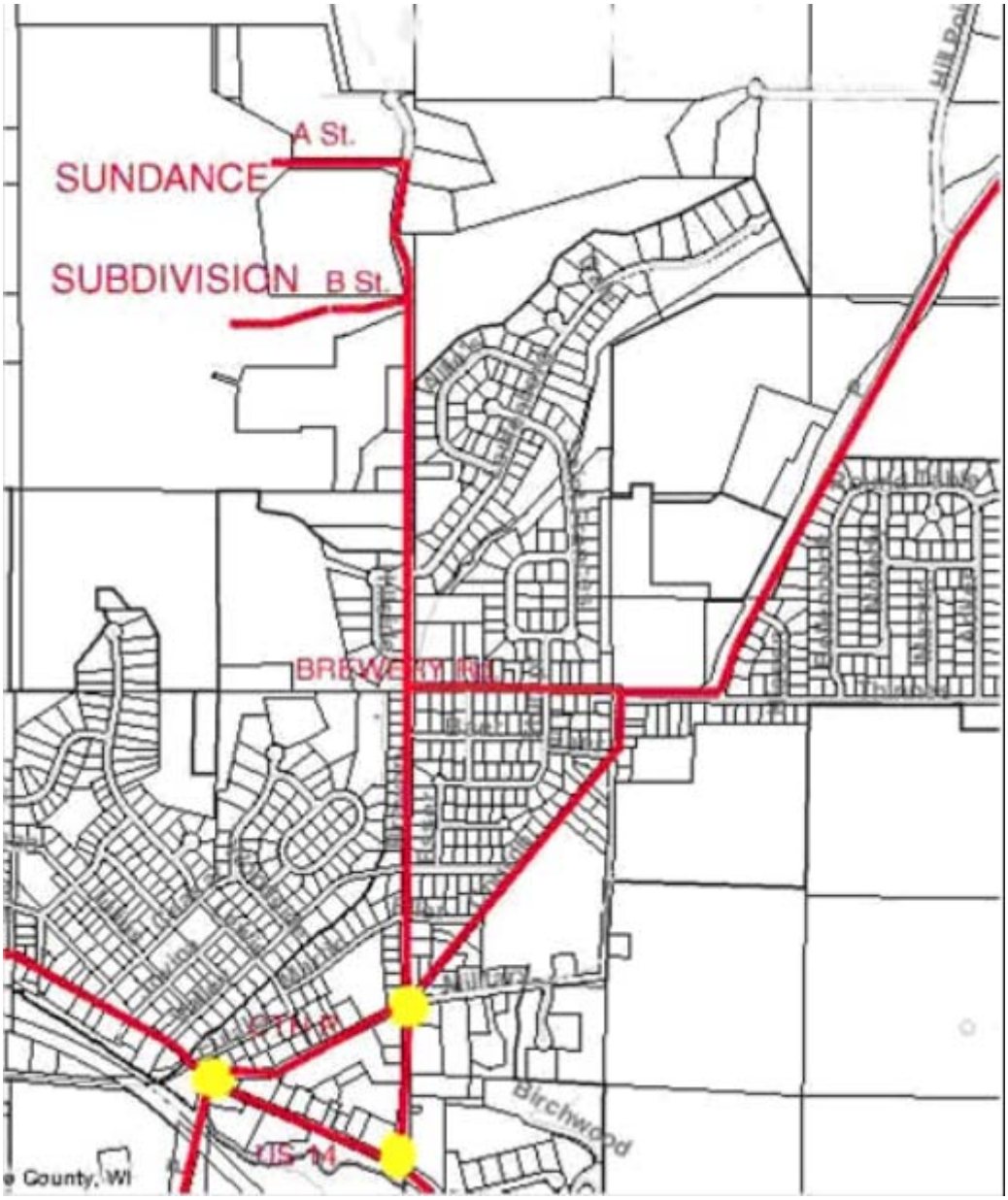
SUMMARY:

A traffic study and computer simulation were prepared for the proposed Sundance Neighborhood by Professor A. Skabardonis of the Berkeley Institute of Transportation Studies. The original study was performed in 2008 and has been updated for the current proposal. The study indicates that the traffic added by the Sundance subdivision will not require additional road improvements. All major roads and intersections of concern will still have adequate capacity upon completion of the subdivision and traffic flows will not be substantially altered.

DESCRIPTION:

The following areas and intersections were included in the study:

1. Brewery Rd., Church St. (CTH P), & Military Rd.
2. Brewery Rd. & US HWY 14.
3. Church St. (CTH P) & US HWY 14.
4. Sundance outlets (Streets “A” and “B”) and Brewery Rd.



METHODOLOGY:

The study and associated simulation was conducted using Highway Capacity Manual 2000 standards, the SYNCHRO software application (see appendix), and ITE 7th Edition trip generation rates (See Table 1).

PROPOSED PROJECT: TRIP GENERATION & DISTRIBUTION
Table 1. Trip Generation

Trip Generation Rates *(Source: ITE Trip Generation)*								
Development Type	Trip Rate		Peak Period Rate		AM Distribution		PM Distribution	
	Trips (#/day/unit)	…unit	AM	PM	In	Out	In	Out

Single Family	9.57	trips/dwelling unit	0.77	1.02	25%	75%	64%	36%

"In": Vehicle Trips into the development

"Out": Vehicle Trips out of the development

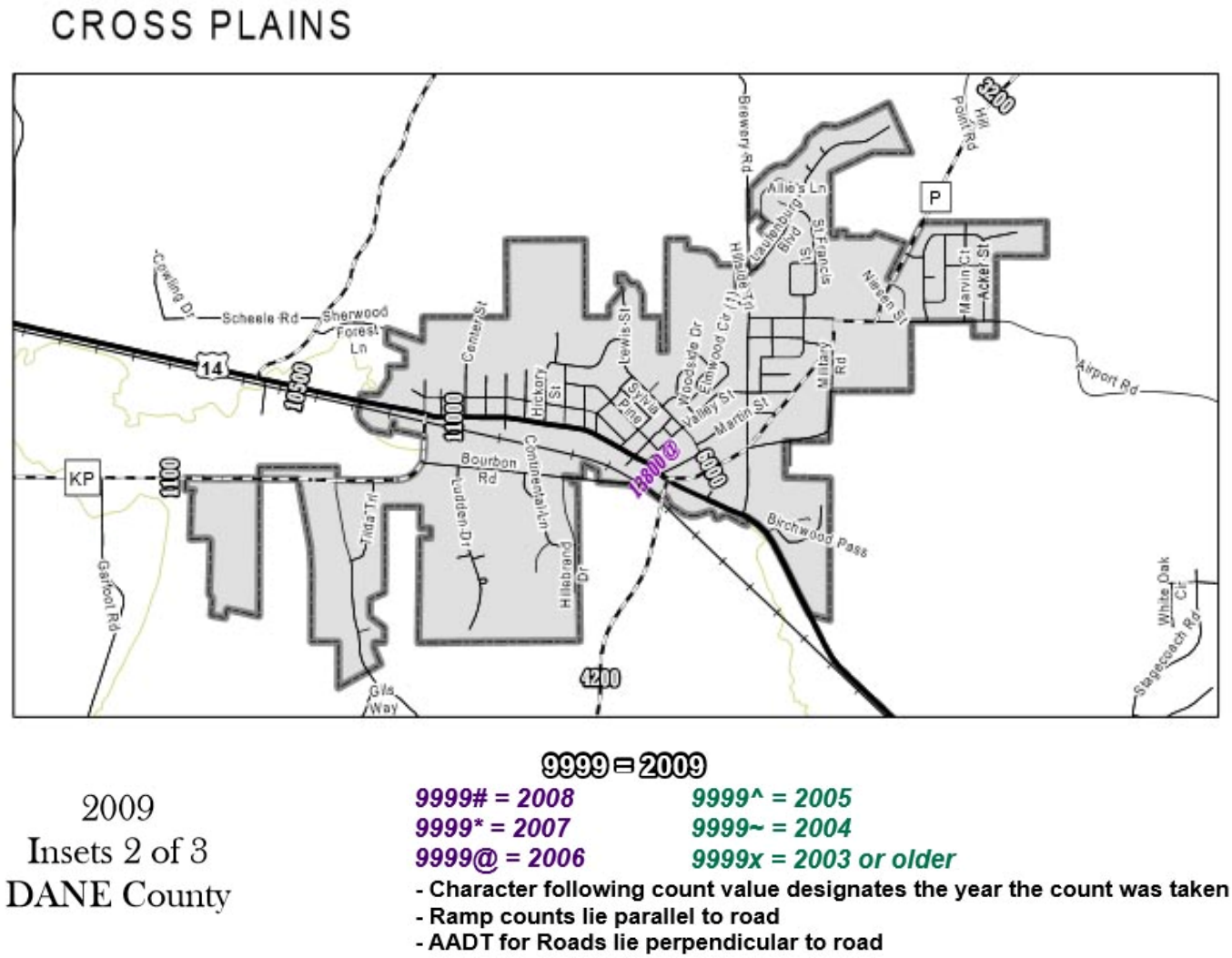
Traffic Volume Analysis								
Subject: **Sundance**								
Development Type	Single Family Dwelling Units	Daily Vehicle Trips	Peak Period Trips		AM Peak Trip Distribution		PM Peak Trip Distribution	
			AM	PM	In	Out	In	Out
Current Proposal	**145**	**1388**	**109**	**147**	**28**	**82**	**95**	**53**
Original Proposal (2008)	186	1781	140	188	35	105	121	68
Original Proposal (Southbound trips only)	140	1340	105	142	27	79	91	52

ASSUMPTIONS:

The bulk of neighborhood traffic is expected to travel south to Main St./14. For study purposes, all of the traffic is assumed to exit south along Brewery Rd. and to US14 through existing roads. Because access to northern and eastern portions of the Madison area is faster via a northern route, some of the traffic is likely to divert through Thinnes St. to County P and to Airport Road. This pattern will make for a smaller traffic impact than the study shows. The original study assumed a 75%/25% split of southern to northern routes—the current proposed traffic total is almost identical to the originally proposed southern route traffic.

The initial project build-out date was estimated for the year 2011 with a total 3.6% net background traffic growth. The new build-out date is 2020. However, annual growth in traffic counts from 2005-2009 in this area of Dane Country suggest a much slower rate of growth than the initial assumption—on the order of 0.2-0.3% at most, rather than the originally assumed value of over 0.7%. As such, the simulation results should hold quite closely for the new timeframe.

EXISTING TRAFFIC



2009
Insets 2 of 3
DANE County

9999 = 2009

9999# = 2008 9999^ = 2005
9999* = 2007 9999~ = 2004
9999@ = 2006 9999x = 2003 or older

- Character following count value designates the year the count was taken
- Ramp counts lie parallel to road
- AADT for Roads lie perpendicular to road

Wisconsin DOT Traffic Counts

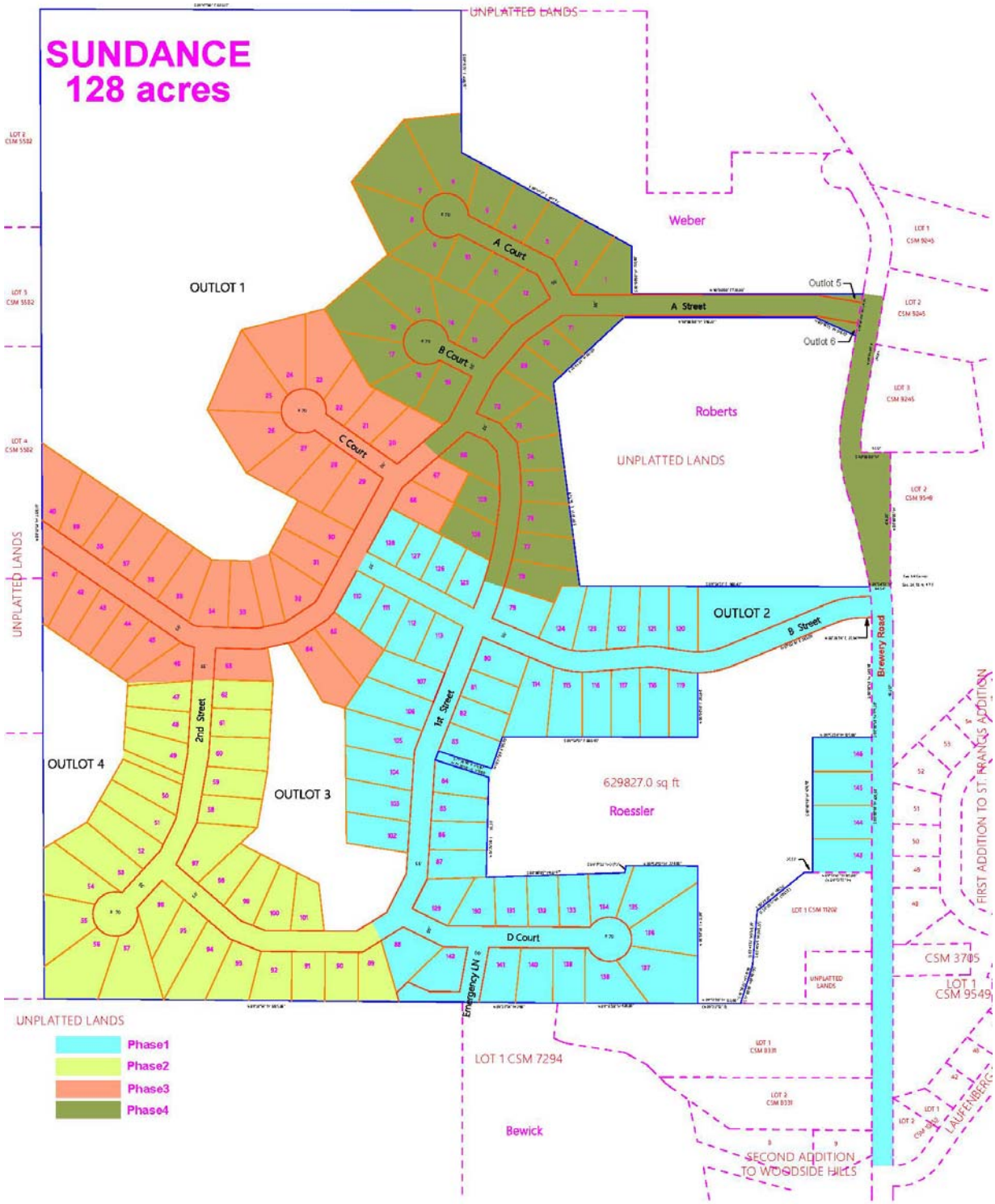
Location	Daily Traffic (Avg. Annual)	Peak Traffic AM	Peak Traffic PM
Brewery Rd.	900**	90	100
Hwy 14 (@ Brewery)	13690*	1369	1363
Hwy 14 (@ Church)	13800***	1723	1982
Hwy P (@ Brewery)	5500***	833	777
Military Rd.	200*	20*	20*

* HNTB estimated value
** HNTB counts
*** WisDOT counts

Military Road traffic was estimated based on an assessment of surrounding development, the rest are counts. Peak hour traffic estimates use the standard default value of 10% of AADT.

SITE DESCRIPTION

The Sundance Neighborhood will consist of approximately 145 single-family homes developed in 4 phases as shown.



PROJECTED TRAFFIC

The projected traffic impact on all key intersections is modest. None of the projected traffic increases exceed any of the intersection capacities. Average wait time (Control Delay) increases are small and Level of Service (LOS) categories remain unchanged at all intersections except PM Peak westbound left turns from P onto Brewery. At this intersection during the PM peak hour, the LOS changes from B to C, with an average increased delay of less than 7 seconds (i.e. from the high end of LOS B to the low end of LOS C). (See SYNCHRO maps and tables in Appendix.)

Below are listed the traffic changes for each studied intersection.

AM PEAK		
	AVG. DELAY / LEVEL OF SERVICE	
INTERSECTION	**BASELINE (2011)**	**WITH PROJECT**
Brewery/P	16.8 sec (C)	21.1 sec (C)
Brewery/US14	21.1 sec (C)	24.7 sec (C)
US14/P	18.1 sec (B)	18.3 sec (B)

PM PEAK		
	AVG. DELAY / LEVEL OF SERVICE	
INTERSECTION	**BASELINE (2011)**	**WITH PROJECT**
Brewery/P	14.9 sec (B)	21.8 sec (C)
Brewery/US14	21.6 sec (C)	24.4 sec (C)
US14/P	18.8 sec (B)	19.6 sec (B)

APPENDIX:

Level of Service (LOS) Table

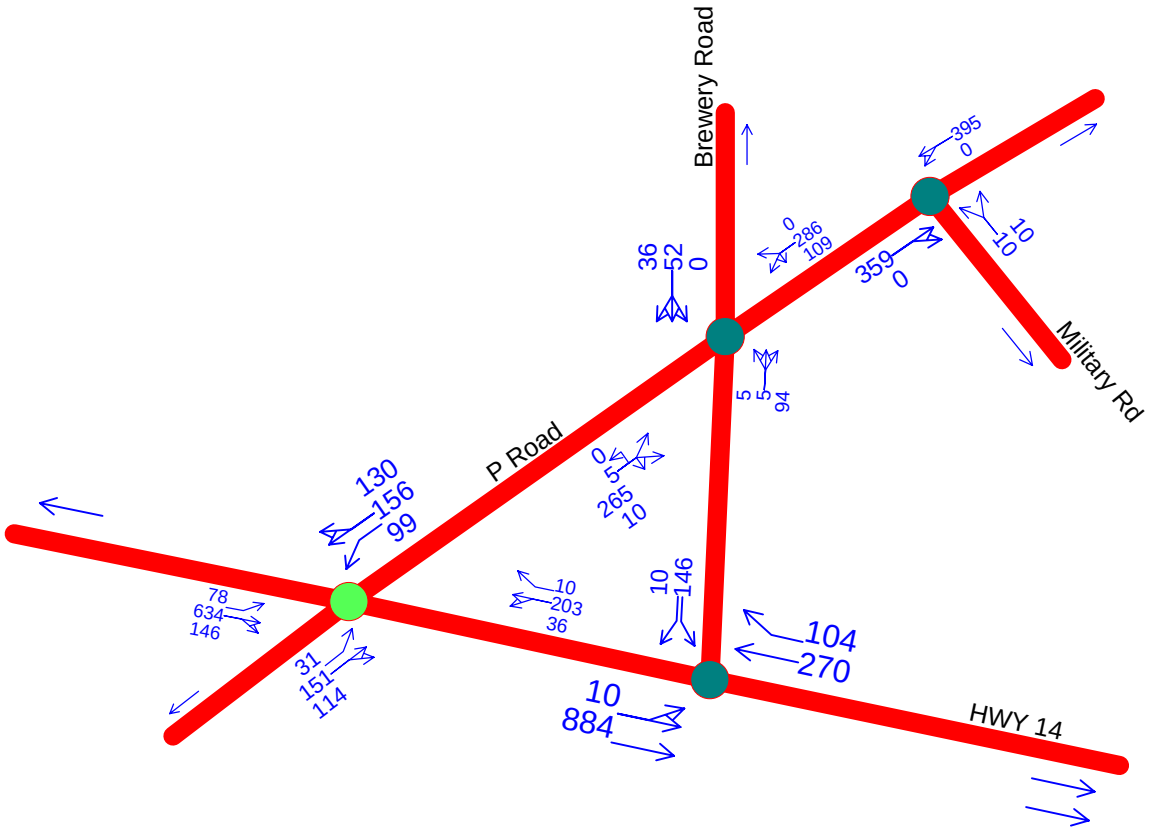
* “Average” wait times
** Intersection capacity exceeded

Unsignalized Intersection	
Level of Service	Average Control Delay (seconds)
A	<10
B	>10-15
C*	>15-25
D	>25-35
E	>35-50
F**	>50
Signalized Intersection	
Level of Service	Average Control Delay (seconds)
A	<10
B	>10-20
C*	>20-35
D	>35-55
E	>55-80
F**	>80

SYNCHRO Maps & Tables

BASELINE 2011 CONDITIONS **GROWTH FACTOR: 3.6%**

Traffic Volumes **AM PEAK**



HCM Unsignalized Intersection Capacity Analysis
2: P Road & Brewery Road

AM PEAK

Movement	WBL2	WBL	WBR	NBL	NBT	NBR	SBL	SBT	SBR	NEL	NER	NER2
Lane Configurations												
Sign Control		Free			Stop			Stop		Free		
Grade		0%			0%			0%		0%		
Volume (veh/h)	105	275	0	5	5	90	0	50	35	5	255	10
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Hourly flow rate (veh/h)	109	286	0	5	5	94	0	52	36	5	265	10
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type					None			None				
Median storage veh)												
vC, conflicting volume	276			848	785	270	881	790	286	286		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
tC, single (s)	4.2			7.2	6.6	6.2	7.1	6.5	6.2	4.2		
tC, 2 stage (s)												
tF (s)	2.3			3.5	4.0	3.3	3.5	4.0	3.3	2.3		
p0 queue free %	91			98	98	88	100	82	95	100		
cM capacity (veh/h)	1254			213	292	761	217	295	758	1242		

Direction, Lane #	WB 1	NB 1	SB 1	NE 1
Volume Total	395	104	88	281
Volume Left	109	5	0	5
Volume Right	0	94	36	10
cSH	1254	630	394	1242
Volume to Capacity	0.09	0.17	0.22	0.00
Queue Length (ft)	7	15	21	0
Control Delay (s)	2.9	11.8	16.8	0.2
Lane LOS	A	B	C	A
Approach Delay (s)	2.9	11.8	16.8	0.2
Approach LOS		B	C	

HCM Unsignalized Intersection Capacity Analysis
3: P Road & Military Rd

AM PEAK

Movement	EBT	EBR	WBL	WBT	NWL	NWR
Lane Configurations						
Sign Control	Free			Free	Stop	
Grade	0%			0%	0%	
Volume (veh/h)	345	0	0	380	10	10
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00
Hourly flow rate (veh/h)	359	0	0	395	10	10
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type					None	
Median storage veh)						
vC, conflicting volume			359		754	359
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
tC, single (s)			4.2		6.4	6.2
tC, 2 stage (s)						
tF (s)			2.3		3.5	3.3
p0 queue free %			100		97	98
cM capacity (veh/h)			1167		380	690

Direction, Lane #	EB 1	WB 1	NW 1
Volume Total	359	395	21
Volume Left	0	0	10
Volume Right	0	0	10
cSH	1700	1167	490
Volume to Capacity	0.21	0.00	0.04
Queue Length (ft)	0	0	3
Control Delay (s)	0.0	0.0	12.7
Lane LOS			B
Approach Delay (s)	0.0	0.0	12.7
Approach LOS			B

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Volume (veh/h)	10	850	260	100	140	10
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00
Hourly flow rate (veh/h)	10	884	270	104	146	10
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type					None	
Median storage veh)						
vC, conflicting volume	374				733	270
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
tC, single (s)	4.1				6.8	6.9
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	99				59	99
cM capacity (veh/h)	1181				357	734

Direction, Lane #	EB 1	EB 2	WB 1	WB 2	SB 1	SB 2
Volume Total	305	589	270	104	146	10
Volume Left	10	0	0	0	146	0
Volume Right	0	0	0	104	0	10
cSH	1181	1700	1700	1700	357	734
Volume to Capacity	0.01	0.35	0.16	0.06	0.41	0.01
Queue Length (ft)	1	0	0	0	48	1
Control Delay (s)	0.4	0.0	0.0	0.0	21.9	10.0
Lane LOS	A				C	A
Approach Delay (s)	0.1		0.0		21.1	
Approach LOS					C	

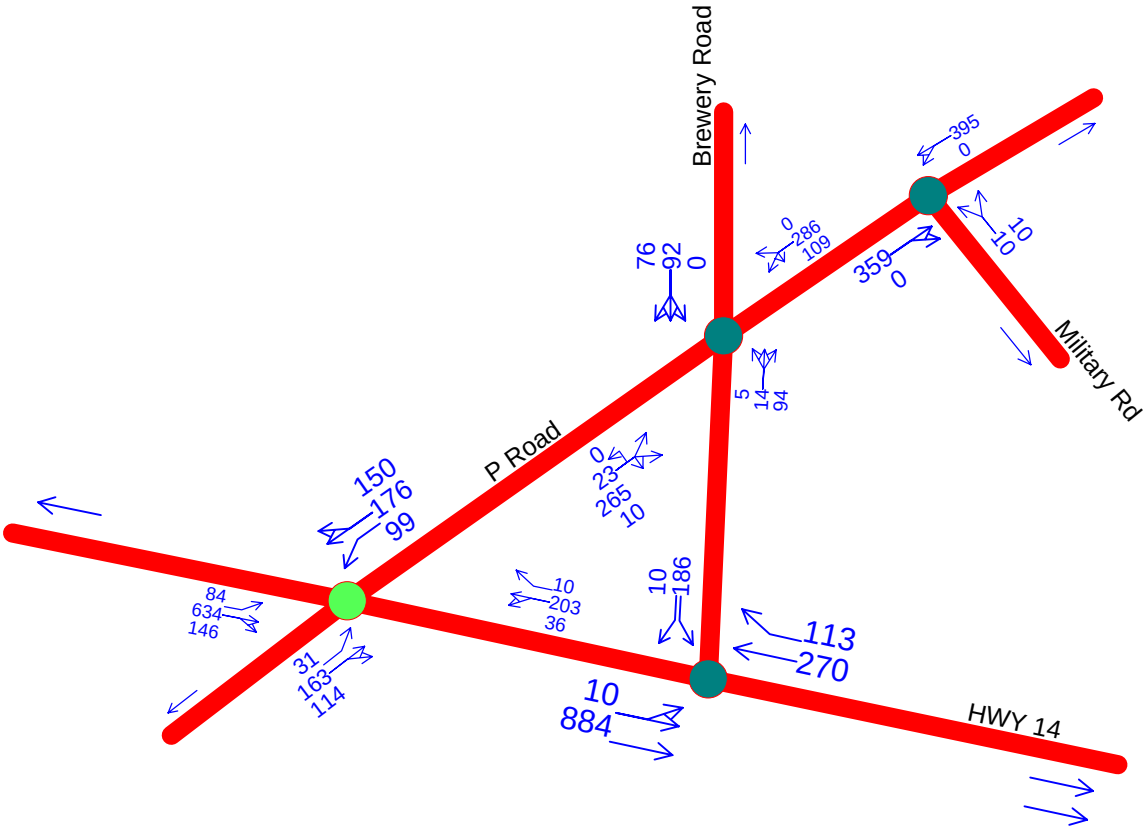
HCM Signalized Intersection Capacity Analysis
10: HWY 14 & P Road

AM PEAK

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	3.0	3.0			3.0	3.0	3.0	3.0		3.0	3.0	
Lane Util. Factor	1.00	1.00			1.00	1.00	1.00	1.00		1.00	1.00	
Frt	1.00	0.97			1.00	0.85	1.00	0.94		1.00	0.93	
Flt Protected	0.95	1.00			0.99	1.00	0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1752	1793			1684	1442	1641	1616		1719	1686	
Flt Permitted	0.58	1.00			0.71	1.00	0.47	1.00		0.50	1.00	
Satd. Flow (perm)	1063	1793			1212	1442	818	1616		901	1686	
Volume (vph)	75	610	140	35	195	10	30	145	110	95	150	125
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Growth Factor (vph)	104%	104%	104%	104%	104%	104%	104%	104%	104%	104%	104%	104%
Adj. Flow (vph)	78	634	146	36	203	10	31	151	114	99	156	130
Lane Group Flow (vph)	78	780	0	0	239	10	31	265	0	99	286	0
Heavy Vehicles (%)	3%	3%	3%	12%	12%	12%	10%	10%	10%	5%	5%	5%
Turn Type	Perm			Perm		Free	Perm			Perm		
Protected Phases		4			8			2			6	
Permitted Phases	4			8		Free	2			6		
Actuated Green, G (s)	36.0	36.0			36.0	70.0	26.0	26.0		26.0	26.0	
Effective Green, g (s)	37.0	37.0			37.0	70.0	27.0	27.0		27.0	27.0	
Actuated g/C Ratio	0.53	0.53			0.53	1.00	0.39	0.39		0.39	0.39	
Clearance Time (s)	4.0	4.0			4.0		4.0	4.0		4.0	4.0	
Lane Grp Cap (vph)	562	948			641	1442	316	623		348	650	
v/s Ratio Prot		c0.44						0.16			c0.17	
v/s Ratio Perm	0.07				0.20	0.01	0.04			0.11		
v/c Ratio	0.14	0.82			0.37	0.01	0.10	0.43		0.28	0.44	
Uniform Delay, d1	8.4	13.8			9.7	0.0	13.7	15.8		14.8	15.9	
Progression Factor	1.00	1.00			1.00	1.00	1.00	1.00		1.00	1.00	
Incremental Delay, d2	0.5	8.0			1.7	0.0	0.6	2.1		2.0	2.2	
Delay (s)	8.9	21.8			11.3	0.0	14.3	17.9		16.9	18.1	
Level of Service	A	C			B	A	B	B		B	B	
Approach Delay (s)		20.6			10.9			17.5			17.8	
Approach LOS		C			B			B			B	

PROJECT 2011 CONDITIONS

Traffic Volumes **AM PEAK**



HCM Unsignalized Intersection Capacity Analysis
2: P Road & Brewery Road

AM PEAK

Movement	WBL2	WBL	WBR	NBL	NBT	NBR	SBL	SBT	SBR	NEL	NER	NER2
Lane Configurations												
Sign Control		Free			Stop			Stop		Free		
Grade		0%			0%			0%		0%		
Volume (veh/h)	109	286	0	5	14	94	0	92	76	23	265	10
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Hourly flow rate (veh/h)	109	286	0	5	14	94	0	92	76	23	265	10
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type					None			None				
Median storage veh)												
vC, conflicting volume	275			942	820	270	921	825	286	286		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
tC, single (s)	4.2			7.2	6.6	6.2	7.1	6.5	6.2	4.2		
tC, 2 stage (s)												
tF (s)	2.3			3.5	4.0	3.3	3.5	4.0	3.3	2.3		
p0 queue free %	91			97	95	88	100	67	90	98		
cM capacity (veh/h)	1254			148	275	761	196	278	758	1242		

Direction, Lane #	WB 1	NB 1	SB 1	NE 1
Volume Total	395	113	168	298
Volume Left	109	5	0	23
Volume Right	0	94	76	10
cSH	1254	543	389	1242
Volume to Capacity	0.09	0.21	0.43	0.02
Queue Length (ft)	7	19	53	1
Control Delay (s)	2.9	13.4	21.1	0.8
Lane LOS	A	B	C	A
Approach Delay (s)	2.9	13.4	21.1	0.8
Approach LOS		B	C	

Movement	EBT	EBR	WBL	WBT	NWL	NWR
Lane Configurations						
Sign Control	Free			Free	Stop	
Grade	0%			0%	0%	
Volume (veh/h)	359	0	0	395	10	10
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00
Hourly flow rate (veh/h)	359	0	0	395	10	10
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type					None	
Median storage veh)						
vC, conflicting volume			359		754	359
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
tC, single (s)			4.2		6.4	6.2
tC, 2 stage (s)						
tF (s)			2.3		3.5	3.3
p0 queue free %			100		97	99
cM capacity (veh/h)			1167		380	690

Direction, Lane #	EB 1	WB 1	NW 1
Volume Total	359	395	20
Volume Left	0	0	10
Volume Right	0	0	10
cSH	1700	1167	490
Volume to Capacity	0.21	0.00	0.04
Queue Length (ft)	0	0	3
Control Delay (s)	0.0	0.0	12.7
Lane LOS			B
Approach Delay (s)	0.0	0.0	12.7
Approach LOS			B

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Volume (veh/h)	10	884	270	113	186	10
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00
Hourly flow rate (veh/h)	10	884	270	113	186	10
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type					None	
Median storage veh)						
vC, conflicting volume	383				732	270
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
tC, single (s)	4.1				6.8	6.9
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	99				48	99
cM capacity (veh/h)	1172				358	734

Direction, Lane #	EB 1	EB 2	WB 1	WB 2	SB 1	SB 2
Volume Total	305	589	270	113	186	10
Volume Left	10	0	0	0	186	0
Volume Right	0	0	0	113	0	10
cSH	1172	1700	1700	1700	358	734
Volume to Capacity	0.01	0.35	0.16	0.07	0.52	0.01
Queue Length (ft)	1	0	0	0	72	1
Control Delay (s)	0.3	0.0	0.0	0.0	25.5	10.0
Lane LOS	A				D	A
Approach Delay (s)	0.1		0.0		24.7	
Approach LOS					C	

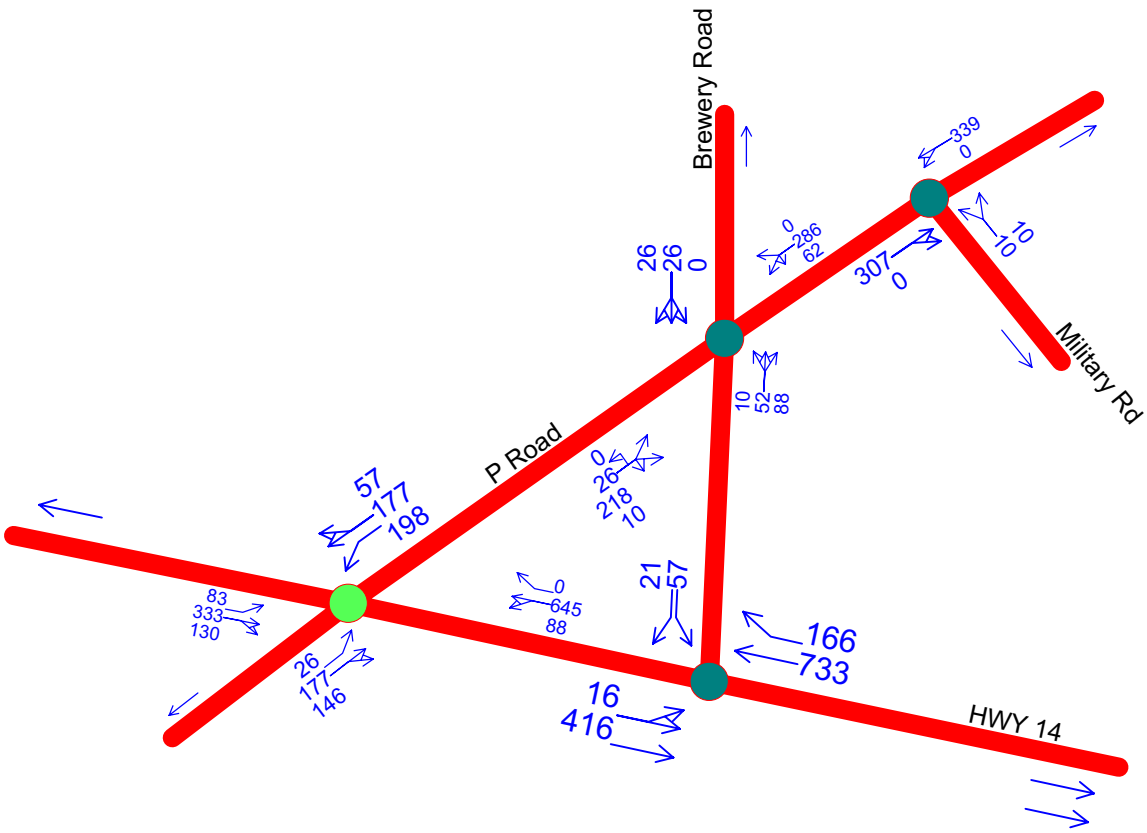
HCM Signalized Intersection Capacity Analysis
10: HWY 14 & P Road

AM PEAK

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	3.0	3.0			3.0	3.0	3.0	3.0		3.0	3.0	
Lane Util. Factor	1.00	1.00			1.00	1.00	1.00	1.00		1.00	1.00	
Frt	1.00	0.97			1.00	0.85	1.00	0.94		1.00	0.93	
Flt Protected	0.95	1.00			0.99	1.00	0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1752	1793			1684	1442	1641	1621		1719	1685	
Flt Permitted	0.58	1.00			0.71	1.00	0.43	1.00		0.48	1.00	
Satd. Flow (perm)	1063	1793			1212	1442	739	1621		876	1685	
Volume (vph)	84	634	146	36	203	10	31	163	114	99	176	150
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	84	634	146	36	203	10	31	163	114	99	176	150
Lane Group Flow (vph)	84	780	0	0	239	10	31	277	0	99	326	0
Heavy Vehicles (%)	3%	3%	3%	12%	12%	12%	10%	10%	10%	5%	5%	5%
Turn Type	Perm			Perm		Free	Perm			Perm		
Protected Phases		4			8			2			6	
Permitted Phases	4			8		Free	2			6		
Actuated Green, G (s)	36.0	36.0			36.0	70.0	26.0	26.0		26.0	26.0	
Effective Green, g (s)	37.0	37.0			37.0	70.0	27.0	27.0		27.0	27.0	
Actuated g/C Ratio	0.53	0.53			0.53	1.00	0.39	0.39		0.39	0.39	
Clearance Time (s)	4.0	4.0			4.0		4.0	4.0		4.0	4.0	
Lane Grp Cap (vph)	562	948			641	1442	285	625		338	650	
v/s Ratio Prot		c0.44						0.17			c0.19	
v/s Ratio Perm	0.08				0.20	0.01	0.04			0.11		
v/c Ratio	0.15	0.82			0.37	0.01	0.11	0.44		0.29	0.50	
Uniform Delay, d1	8.4	13.8			9.7	0.0	13.8	15.9		14.9	16.4	
Progression Factor	1.00	1.00			1.00	1.00	1.00	1.00		1.00	1.00	
Incremental Delay, d2	0.6	8.0			1.7	0.0	0.8	2.3		2.2	2.8	
Delay (s)	9.0	21.8			11.3	0.0	14.6	18.2		17.1	19.1	
Level of Service	A	C			B	A	B	B		B	B	
Approach Delay (s)		20.5			10.9			17.8			18.7	
Approach LOS		C			B			B			B	

BASELINE 2011 CONDITIONS

Traffic Volumes **PM PEAK**



HCM Unsignalized Intersection Capacity Analysis
2: P Road & Brewery Road

PM PEAK

Movement	WBL2	WBL	WBR	NBL	NBT	NBR	SBL	SBT	SBR	NEL	NER	NER2
Lane Configurations												
Sign Control		Free			Stop			Stop		Free		
Grade		0%			0%			0%		0%		
Volume (veh/h)	60	275	0	10	50	85	0	25	25	25	210	10
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Hourly flow rate (veh/h)	62	286	0	10	52	88	0	26	26	26	218	10
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type					None			None				
Median storage veh)												
vC, conflicting volume	229			725	686	224	801	692	286	286		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
tC, single (s)	4.1			7.1	6.5	6.2	7.1	6.5	6.2	4.1		
tC, 2 stage (s)												
tF (s)	2.2			3.5	4.0	3.3	3.5	4.0	3.3	2.2		
p0 queue free %	95			96	85	89	100	92	97	98		
cM capacity (veh/h)	1328			294	345	816	227	343	753	1270		

Direction, Lane #	WB 1	NB 1	SB 1	NE 1
Volume Total	348	151	52	255
Volume Left	62	10	0	26
Volume Right	0	88	26	10
cSH	1328	512	471	1270
Volume to Capacity	0.05	0.29	0.11	0.02
Queue Length (ft)	4	30	9	2
Control Delay (s)	1.8	14.9	13.6	1.0
Lane LOS	A	B	B	A
Approach Delay (s)	1.8	14.9	13.6	1.0
Approach LOS		B	B	

Movement	EBT	EBR	WBL	WBT	NWL	NWR
Lane Configurations						
Sign Control	Free			Free	Stop	
Grade	0%			0%	0%	
Volume (veh/h)	295	0	0	326	10	10
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00
Hourly flow rate (veh/h)	307	0	0	339	10	10
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type					None	
Median storage veh)						
vC, conflicting volume			307		646	307
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
tC, single (s)			4.2		6.4	6.2
tC, 2 stage (s)						
tF (s)			2.3		3.5	3.3
p0 queue free %			100		98	99
cM capacity (veh/h)			1221		439	738

Direction, Lane #	EB 1	WB 1	NW 1
Volume Total	307	339	21
Volume Left	0	0	10
Volume Right	0	0	10
cSH	1700	1221	551
Volume to Capacity	0.18	0.00	0.04
Queue Length (ft)	0	0	3
Control Delay (s)	0.0	0.0	11.8
Lane LOS			B
Approach Delay (s)	0.0	0.0	11.8
Approach LOS			B

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Volume (veh/h)	15	400	705	160	55	20
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00
Hourly flow rate (veh/h)	16	416	733	166	57	21
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type					None	
Median storage veh)						
vC, conflicting volume	900				972	733
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
tC, single (s)	4.3				6.8	6.9
tC, 2 stage (s)						
tF (s)	2.3				3.5	3.3
p0 queue free %	98				77	94
cM capacity (veh/h)	714				248	368

Direction, Lane #	EB 1	EB 2	WB 1	WB 2	SB 1	SB 2
Volume Total	154	277	733	166	57	21
Volume Left	16	0	0	0	57	0
Volume Right	0	0	0	166	0	21
cSH	714	1700	1700	1700	248	368
Volume to Capacity	0.02	0.16	0.43	0.10	0.23	0.06
Queue Length (ft)	2	0	0	0	22	4
Control Delay (s)	1.2	0.0	0.0	0.0	23.8	15.4
Lane LOS	A				C	C
Approach Delay (s)	0.4		0.0		21.6	
Approach LOS					C	

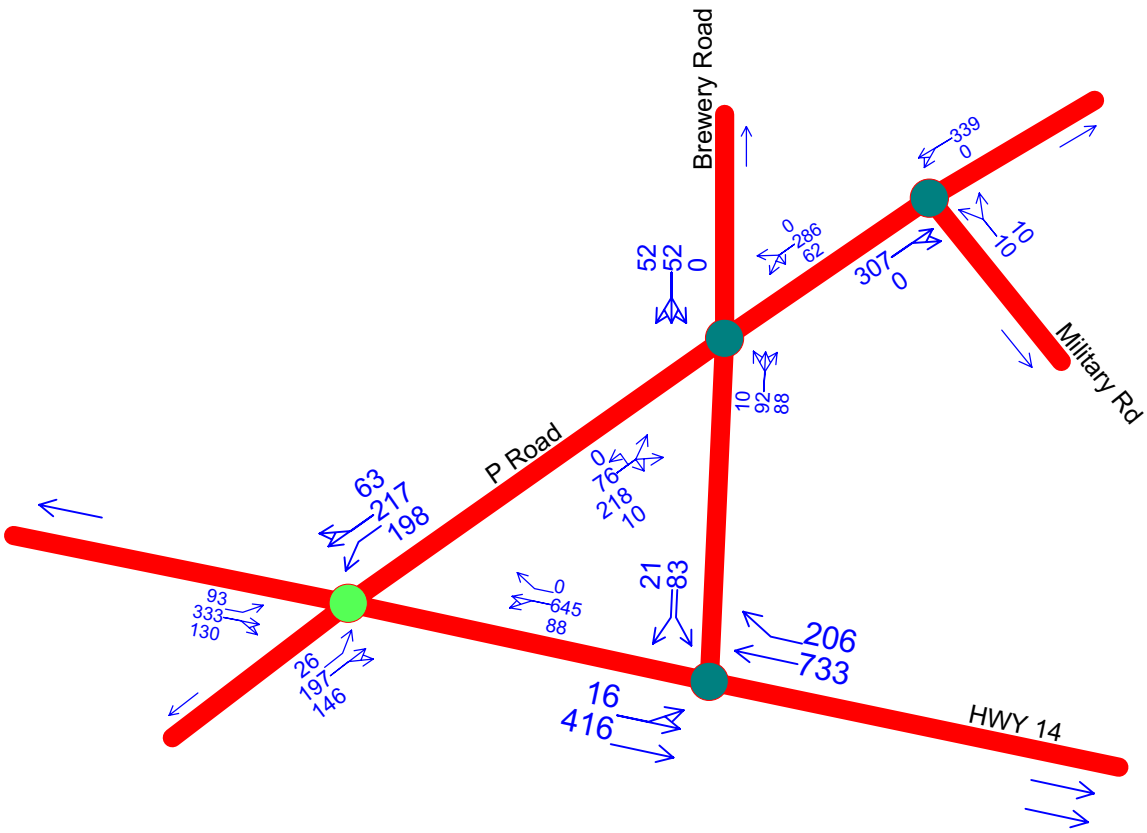
HCM Signalized Intersection Capacity Analysis
10: HWY 14 & P Road

PM PEAK

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	3.0	3.0			3.0		3.0	3.0		3.0	3.0	
Lane Util. Factor	1.00	1.00			1.00		1.00	1.00		1.00	1.00	
Frt	1.00	0.96			1.00		1.00	0.93		1.00	0.96	
Flt Protected	0.95	1.00			0.99		0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1719	1733			1852		1703	1671		1752	1777	
Flt Permitted	0.21	1.00			0.90		0.52	1.00		0.41	1.00	
Satd. Flow (perm)	372	1733			1676		935	1671		757	1777	
Volume (vph)	80	320	125	85	620	0	25	170	140	190	170	55
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Growth Factor (vph)	104%	104%	104%	104%	104%	104%	104%	104%	104%	104%	104%	104%
Adj. Flow (vph)	83	333	130	88	645	0	26	177	146	198	177	57
Lane Group Flow (vph)	83	463	0	0	733	0	26	323	0	198	234	0
Heavy Vehicles (%)	5%	5%	5%	2%	2%	2%	6%	6%	6%	3%	3%	3%
Turn Type	Perm			Perm		Free	Perm			Perm		
Protected Phases		4			8			2			6	
Permitted Phases	4			8		Free	2			6		
Actuated Green, G (s)	38.0	38.0			38.0		24.0	24.0		24.0	24.0	
Effective Green, g (s)	39.0	39.0			39.0		25.0	25.0		25.0	25.0	
Actuated g/C Ratio	0.56	0.56			0.56		0.36	0.36		0.36	0.36	
Clearance Time (s)	4.0	4.0			4.0		4.0	4.0		4.0	4.0	
Lane Grp Cap (vph)	207	966			934		334	597		270	635	
v/s Ratio Prot		0.27						0.19			0.13	
v/s Ratio Perm	0.22				c0.44		0.03			c0.26		
v/c Ratio	0.40	0.48			0.78		0.08	0.54		0.73	0.37	
Uniform Delay, d1	8.8	9.4			12.2		14.9	17.9		19.6	16.7	
Progression Factor	1.00	1.00			1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2	5.7	1.7			6.6		0.5	3.5		16.2	1.6	
Delay (s)	14.5	11.1			18.8		15.3	21.4		35.8	18.3	
Level of Service	B	B			B		B	C		D	B	
Approach Delay (s)		11.6			18.8			21.0			26.3	
Approach LOS		B			B			C			C	

PROJECT 2011 CONDITIONS

Traffic Volumes **PM PEAK**



HCM Unsignalized Intersection Capacity Analysis
2: P Road & Brewery Road

PM PEAK

Movement	WBL2	WBL	WBR	NBL	NBT	NBR	SBL	SBT	SBR	NEL	NER	NER2
Lane Configurations												
Sign Control		Free			Stop			Stop		Free		
Grade		0%			0%			0%		0%		
Volume (veh/h)	62	286	0	10	92	88	0	52	52	76	218	10
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Hourly flow rate (veh/h)	62	286	0	10	92	88	0	52	52	76	218	10
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type					None			None				
Median storage veh)												
vC, conflicting volume	228			863	785	223	919	790	286	286		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
tC, single (s)	4.1			7.1	6.5	6.2	7.1	6.5	6.2	4.1		
tC, 2 stage (s)												
tF (s)	2.2			3.5	4.0	3.3	3.5	4.0	3.3	2.2		
p0 queue free %	95			95	68	89	100	82	93	94		
cM capacity (veh/h)	1328			204	291	817	157	289	753	1270		

Direction, Lane #	WB 1	NB 1	SB 1	NE 1
Volume Total	348	190	104	304
Volume Left	62	10	0	76
Volume Right	0	88	52	10
cSH	1328	402	418	1270
Volume to Capacity	0.05	0.47	0.25	0.06
Queue Length (ft)	4	62	24	5
Control Delay (s)	1.8	21.8	16.5	2.4
Lane LOS	A	C	C	A
Approach Delay (s)	1.8	21.8	16.5	2.4
Approach LOS		C	C	

Movement	EBT	EBR	WBL	WBT	NWL	NWR
Lane Configurations						
Sign Control	Free			Free	Stop	
Grade	0%			0%	0%	
Volume (veh/h)	307	0	0	339	10	10
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00
Hourly flow rate (veh/h)	307	0	0	339	10	10
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type					None	
Median storage veh)						
vC, conflicting volume			307		646	307
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
tC, single (s)			4.2		6.4	6.2
tC, 2 stage (s)						
tF (s)			2.3		3.5	3.3
p0 queue free %			100		98	99
cM capacity (veh/h)			1220		439	738

Direction, Lane #	EB 1	WB 1	NW 1
Volume Total	307	339	20
Volume Left	0	0	10
Volume Right	0	0	10
cSH	1700	1220	551
Volume to Capacity	0.18	0.00	0.04
Queue Length (ft)	0	0	3
Control Delay (s)	0.0	0.0	11.8
Lane LOS			B
Approach Delay (s)	0.0	0.0	11.8
Approach LOS			B

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Volume (veh/h)	16	416	733	206	83	21
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00
Hourly flow rate (veh/h)	16	416	733	206	83	21
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type					None	
Median storage veh)						
vC, conflicting volume	939				973	733
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
tC, single (s)	4.3				6.8	6.9
tC, 2 stage (s)						
tF (s)	2.3				3.5	3.3
p0 queue free %	98				66	94
cM capacity (veh/h)	690				247	368

Direction, Lane #	EB 1	EB 2	WB 1	WB 2	SB 1	SB 2
Volume Total	155	277	733	206	83	21
Volume Left	16	0	0	0	83	0
Volume Right	0	0	0	206	0	21
cSH	690	1700	1700	1700	247	368
Volume to Capacity	0.02	0.16	0.43	0.12	0.34	0.06
Queue Length (ft)	2	0	0	0	35	5
Control Delay (s)	1.3	0.0	0.0	0.0	26.7	15.4
Lane LOS	A				D	C
Approach Delay (s)	0.5		0.0		24.4	
Approach LOS					C	

HCM Signalized Intersection Capacity Analysis
10: HWY 14 & P Road

PM PEAK

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	3.0	3.0			3.0		3.0	3.0		3.0	3.0	
Lane Util. Factor	1.00	1.00			1.00		1.00	1.00		1.00	1.00	
Frt	1.00	0.96			1.00		1.00	0.94		1.00	0.97	
Flt Protected	0.95	1.00			0.99		0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1719	1733			1852		1703	1678		1752	1782	
Flt Permitted	0.21	1.00			0.90		0.46	1.00		0.39	1.00	
Satd. Flow (perm)	372	1733			1676		831	1678		713	1782	
Volume (vph)	93	333	130	88	645	0	26	197	146	198	217	63
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	93	333	130	88	645	0	26	197	146	198	217	63
Lane Group Flow (vph)	93	463	0	0	733	0	26	343	0	198	280	0
Heavy Vehicles (%)	5%	5%	5%	2%	2%	2%	6%	6%	6%	3%	3%	3%
Turn Type	Perm			Perm		Free	Perm			Perm		
Protected Phases		4			8			2			6	
Permitted Phases	4			8		Free	2			6		
Actuated Green, G (s)	38.0	38.0			38.0		24.0	24.0		24.0	24.0	
Effective Green, g (s)	39.0	39.0			39.0		25.0	25.0		25.0	25.0	
Actuated g/C Ratio	0.56	0.56			0.56		0.36	0.36		0.36	0.36	
Clearance Time (s)	4.0	4.0			4.0		4.0	4.0		4.0	4.0	
Lane Grp Cap (vph)	207	966			934		297	599		255	636	
v/s Ratio Prot		0.27						0.20			0.16	
v/s Ratio Perm	0.25				c0.44		0.03			c0.28		
v/c Ratio	0.45	0.48			0.78		0.09	0.57		0.78	0.44	
Uniform Delay, d1	9.2	9.4			12.2		14.9	18.2		20.0	17.2	
Progression Factor	1.00	1.00			1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2	6.9	1.7			6.6		0.6	3.9		20.4	2.2	
Delay (s)	16.1	11.1			18.8		15.5	22.1		40.4	19.4	
Level of Service	B	B			B		B	C		D	B	
Approach Delay (s)		11.9			18.8			21.7			28.1	
Approach LOS		B			B			C			C	

Exhibit D

Village of Cross Plains
Sundance Development
Annexation Financial Analysis
Report 12-30-2015

Background

Kyo Ladopoulos (Sundance Development LLC) is proposing to annex approximately 142 acres of land to the Village for the purposes of platting and building a 145 lot residential subdivision. The subject area is located off of Brewery Road on the north side of the Village. Section 82.03(c) of the Village's Code of Ordinances requires completion of a financial analysis report at the time of a proposed annexation request addressing the impact the proposed annexation would have on Village revenues and the cost to provide municipal services to the property after annexation. More specifically the report shall include the following information:

1. An estimate of the Village revenue that would be derived from the property within the area proposed for annexation to the Village.
2. An estimate of the Village's cost to provide police, fire and emergency medical services to the annexed property after the property has been fully developed.
3. An estimate of the Village's cost to provide public works services and facilities to the annexed property after the property has been fully developed (such as street construction and maintenance, the construction and maintenance of storm water management facilities).
4. An estimate of the Village's cost to provide sanitary sewer and water service to the annexed property after the property has been fully developed.
5. An estimate of the Village's cost to provide library, park and recreational facilities and services to the annexed property after the property has been fully developed.
6. An estimate of the Village's cost to provide administrative services (such as services provided by the Village Administrator/Clerk-Treasurer, the Village Assessor, the Village Building Inspector, the Village Engineer, the Village Attorney) and facilities to the annexed property after the property has been annexed.
7. An estimate of the School District's costs to provide public school services and facilities to the annexed property after the property is fully developed.
8. Any other information reasonably required by the Village under Section 82.03(c) of the Village's Code of Ordinances.

The purpose of this report is to assist Village Staff and Officials in their review and approval of the proposed annexation request. The report in its self is not the determining factor to approve the annexation and development request.

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Section 82.03(c)1, Estimated Property Tax Revenue

The number of parcels and dwelling units were provided by Sundance Development LLC. There are 145 proposed single-family unit parcels and seven outlots reserved for open space, right-of-way, and stormwater detention areas. The table below is a projected annual tax revenue.

Table 1. Development Information

Total Development Acreage	142
	Single Family
Market Value/Dwelling Unit*	$420,000
Number of Dwelling units	145
Total Value	$60,900,000
Value x Mill Rate (21.88)**	$1,332,492
School Share (56%)	$746,196
Village Share (33%)	$439,722

*Source: Sundance Development LLC
**Tax Year 2015

The estimated tax revenue generated on the projected property values is **$1,332,492** at full build out of the subdivision. The developer's estimated value per dwelling unit is higher than the average median home value in Cross Plains ($236,800, Source: 2009-2013 American Community Survey) and the average assessed value per residential lot ($220,603, Source: DOR 2014 Statement of Assessments). However, this is expected given the development calls for medium to large estate lots (.88 dwellings per acre).

Sundance Development LLC is proposing to develop the subdivision in four phases with an average buildout per phase of 1-2 years according to the developer.

Table 2. Projected Tax Revenues for Proposed Development per Phase.

	Phase 1	Phase 2	Phase 3	Phase 4	Total
Market Value/Dwelling Unit	$420,000	$420,000	$420,000	$420,000	
Number of Dwelling units	65	29	30	21	145
Total Value	$27,300,000	$12,180,000	$12,600,000	$8,820,000	$60,900,000
Value x Mill Rate (21.88)	$597,324	$266,498	$275,688	$192,982	$1,332,492
School Shares (56%)	$334,501	$149,239	$154,385	$108,070	$746,196
Village Share (33%)	$197,117	$87,944	$90,977	$63,684	$439,722
School + Village Tax Revenue	$531,618	$237,184	$245,362	$171,754	$1,185,918

The Village share of the estimated tax revenue from the proposed subdivision at the time of build out is **$439,722**. This figure assumes the tax rate remains constant and zero inflation. In addition, to property

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tax revenue the Village will also receive sewer revenue from each property. The Village currently charges a $78.00 flat rate per quarter plus a variable rate of $11.75 per 1,000 gallons used. The average consumption for a single family home of four is 12,000 gallons per quarter. Therefore, the average cost per home is approximately $219 per quarter or $876 per year.

Table 3. Projected Sewer & Property Tax Revenues for Proposed Development per Phase.

	Phase 1	Phase 2	Phase 3	Phase 4	Total
Number of Dwelling units	65	29	30	21	145
Village Annual Sewer Revenue	$56,940	$25,404	$26,280	$18,396	$127,020
Village Annual Property Tax Revenue	$197,117	$87,944	$90,977	$63,684	$439,722
Village Total Revenue	$254,057	$113,348	$117,257	$82,080	$566,742

The Village share of the estimated tax and sewer revenue from the proposed subdivision at the time of build out is **$566,742**. This figure assumes the tax rate remains constant, average sanitary sewer use, and zero inflation in tax or sewer rates.

Section 82.03(c)2-7, Estimated Costs

Section 82.03(c)2-7 provides that estimates of a variety of public services costs shall be calculated based on the proposed annexation request. The estimated costs to provide services do not include initial public capital costs to construct the subdivision, just those estimated public costs once the property is fully developed. The following Village of Cross Plains 2016 Budget expenditures were used to determine a per parcel cost of the proposed development.

Table 4. 2016 Village Expenditures per Category and per Parcel

Expenditure Category	2016 Budget Village of Cross Plains	2016 budget per parcel cost (1,505 total parcels)
Public Safety		
Municipal Court	$24,650	$16.38
Police	$519,250	$345.02
Fire	$83,000	$55.15
EMS	$48,500	$32.23
Public Safety Total	***$675,400***	***$448.77***
Public Works		
Public Facilities	$379,250	$251.99
Street Lighting	$80,000	$53.16
Refuse	$164,000	$108.97
Public Works Total	***$623,250***	***$414.12***
Utilities		
Sewer	$1,388,750	$922.76

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Water	$0 Development will be served by private wells	
Utilities Total	***$1,388,750***	***$922.76***
Cultural Amenities		
Library	$368,250	$244.68
Park and recreational services	$392,500	$260.80
Cultural Amenities Total	***$760,750***	***$505.48***
Administrative Services		
Village Board	$20,350	$13.52
Village Administration	$144,250	$95.85
Personnel	$61,750	$41.03
Elections	$4,250	$2.82
Financial Management	$13,750	$9.14
Village Assessor	$10,000	$6.64
Insurance	$57,750	$38.37
General Buildings and Plant	$35,250	$23.42
Contingency	$47,500	$31.56
Building Inspection	$16,750	$11.13
Community Development	$35,000	$23.26
Transfers	$0	$0.00
Administrative Services Total	***$446,600***	***$296.74***
Other		
Debt Service	$1,000,000	$664.45
Total	***$1,000,000***	***$664.45***
Middleton-Cross Plains School District*	$4,002,355	$2,659.37
GRAND TOTAL	***$8,897,105***	***$5,911.70***

*portion of the school districts total levy allocated to Cross Plains, 2015-2016 Preliminary Budget

The Village-wide average per parcel public service expenditures listed in Table 4 were used to determine a per parcel cost for the proposed development to provide the same services. Table 5 illustrates the per parcel (145 total) cost, by category at each phase of development and total when build out is achieved.

Table 4. Projected Cost for Proposed Development

Expenditure Category	**Phase 1 Total**	**Phase 2 Total**	**Phase 3 Total**	**Phase 4 Total**	**2016 budget for development (total)**
Public Safety	$29,170	$13,014	$13,463	$9,424	$65,072
Public Works	$26,918	$12,009	$12,424	$8,697	$60,047
Utilities	$59,979	$26,760	$27,683	$19,378	$133,800
Cultural Amenities	$32,856	$14,659	$15,164	$10,615	$73,295

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Administrative Services	$19,288	$8,606	$8,902	$6,232	$43,028
Other	$43,189	$19,269	$19,934	$13,953	$96,346
Village Total	$211,401	$94,317	$97,570	$68,299	**$471,587**
Middleton-Cross Plains School District*	$172,859	$77,122	$79,781	$55,847	**$385,609**
Combined Costs (Village + School District)	$384,260	$171,439	$177,351	$124,146	**$857,196**

*portion of the school districts total levy allocated to Cross Plains

The total annual estimated cost of providing all services to the Village and School District once the property is fully developed is **$857,196**. The Village share of the estimated costs to provide services to the proposed subdivision at the time of build out is **$471,587**. This figure assumes that the costs to provide services to the development will equal the same per parcel budgeted cost to provide services to existing Village parcels in year 2016.

Financial Impact Summary

Based on the assumptions provided, the Village would net revenue of **$95,155** annually from the proposed development, upon competition.

Table 5. Total Revenue and Expenditure Comparison

	Phase 1	Phase 2	Phase 3	Phase 4	Total
Projected Tax Revenue of Developed Parcels (School + Village)	$531,618	$237,184	$245,362	$171,754	**$1,185,918**
Village Expenditures	$211,401	$94,317	$97,570	$68,299	**$471,587**
Middleton-Cross Plains School District Expenditure	$172,859	$77,122	$79,781	$55,847	**$385,609**
Net Revenue (Village + School District):	$147,358	$65,745	$68,011	$47,608	**$328,722**
Village Property Tax Revenue	$197,117	$87,944	$90,977	$63,684	**$439,722**
Village Annual Sewer Revenue	$56,940	$25,404	$26,280	$18,396	**$127,020**
Net Revenue (Village only)	**$42,656**	**$19,031**	**$19,687**	**$13,781**	**$95,155**

Note the assumptions related to expenditures assume that both the Village and School District can provide services to the proposed development at the same per parcel cost as budgeted to provide similar services to existing properties in the Village in 2016. However, it should be noted that the analysis does not consider whether there will be additional costs beyond the average per parcel costs which would result

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from the additional 143 housing units. For example, would the additional development necessitate the purchase of an additional school bus and service route to serve the development? Likewise, would the additional development necessitate the need to add additional public works staff to plow the roadways in the winter, or the purchase of additional plow equipment? This analysis is also not meant to imply that the Village's or School District's actual budget will increase by the expenditure totals shown in the analysis. It is conceivable that some services may be able to be provided to the development without a significant increase in department budgets; thereby the new development may actually lower the per parcel costs to provide certain services in the community as the costs would be spread out over more parcels. In summary, at what point does new development necessitate additional capital expenditures, the hiring of additional public staff, or increases in department budgets to serve the development. Questions such as these are difficult to address within the framework of this analysis. In addition, it should be noted that future Village and School District budgets will determine how these specific distributed costs, and revenues, will be earmarked for the future.

Methodology

The cost of development was evaluated on a per parcel basis for the following reasons:

1. Chapter 82 Annexation, Section82.03 Preliminary Procedures (c) Financial Analysis Report identifies language of estimation of cost to provide services to the "annexed property."

2. All parcels were included in the evaluation. While Village owned parcels have no value and are thus tax exempt the Village still provides services to this parcels.

3. Per dwelling unit and per household metrics were considered but eliminated from consideration because they would have excluded non-residential properties which also make up part of the tax base for which the Village provides services.

The number of parcels within the Village of Cross Plains were clipped to the Municipal boundary in ArcGIS based on the parcel data we received from Dane County Land Information Office for the Village in March 2015. There are a total of 1,505 parcels within the Village Boundary.

Data Sources

Data collected and received to conduct this financial analysis is as follows:

1. Existing Parcels: CrossPlainsParcels.shp March 2015

2. Proposed Parcel Data: Use, Annexation, Concept Development, Phasing, Public Sewer Plans created 8/6/2015, received 8/26/2015 by Sundance Development LLC

3. Projected Costs: Village of Cross Plains 2016 Annual Budget (2016_Budget_-_Board_Approved_11.23.2015.pdf)

    a. **Sewage Service**: 2016 Sewer Utility Operating Budget, Fund #670, Summary of Expenditures, (includes #51510, 51600, 53610, 53630, 57410, 58000, and 59200).

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b. **Police:** 2016 General Fund Operating Budget, Summary of Expenditures Table, Expenditures item #52100, 2016 Budget.

c. **Fire:** 2016 General Fund Operating Budget, Summary of Expenditures Table, Expenditures item #52200, 2016 Budget.

d. **Emergency Medical Services:** 2016 General Fund Operating Budget, Summary of Expenditures Table, Expenditures item #52300, 2016 Budget.

e. **Water**: 2016 Water Utility Operating Budget, Fund #660, Summary of Expenditures (includes #51400, 51500, 53700, and 57000).

f. **Library:** 2016 Annual Village of Cross Plains Fund Summaries, Fund #130 Library Fund, Total 2016 Budget Expense (includes #51430, 51600, 55110, 59200).

g. **Parks and Recreation**: 2016 Annual Village of Cross Plains Fund Summaries, Fund #140 Parks/Rec Fund, Total 2016 Budget Expense (includes #51430, 54600, 55200, 55300, 55420, 59200).

h. **Administrative:** General Fund Operating Budget, Index Expenditures Summary, Expenditures, 30, Total Personnel Services Expense, 2016 Budget ***and*** Contractual Services, item #208 Legal Fees and item #207 Support Services, 2016 Budget.

i. **Middleton-Cross Plains School District**: (Village Levy Portion) Middleton-Cross Plains Area School District 2015 Annual Financial Report, 2015-2016 Preliminary Budget.

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Exhibit E

CHAPTER 82 ANNEXATION

82.01 Purpose
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CHAPTER 82 ANNEXATION

SECTION 82.01 Purpose.

The purpose of this chapter is to establish a uniform and consistent annexation procedure for the mutual benefit of the Village and any party petitioning for annexation.

SECTION 82.02 Applicability.

This chapter shall apply to all annexations initiated after the effective date of this chapter.

SECTION 82.03 Preliminary Procedures.

Exhibit B (a) **State Statutes.** The statutory procedures for initiating and pursuing an annexation request with the Village shall be followed.

Exhibit C (b) **Development Plan Required.** At or before the time of presenting an annexation petition, the petitioner shall submit to the Village Administrator/Clerk-Treasurer a development plan for the entire area proposed for annexation. The development plan shall show the general layout and density of any proposed development, shall indicate the anticipated usage(s) of the land and the contemplated development schedule, and shall note what zoning will be requested to accommodate the proposed development. In lieu of submitting a development plan, the petitioner may proceed directly with the submittal of a preliminary plat or certified survey map as part of the annexation request. If the developer submits a development plan, the following information shall be provided:

(1) An explanation of the reason for the proposed annexation.

(2) A detailed description of any development that is intended to occur on the property subsequent to annexation.

(3) A land use plan and transportation plan per DOT guidelines for the property subsequent to annexation.

(4) A detailed description of the municipal services needed to serve the property subsequent to annexation and a proposal regarding how those services should be provided to the property.

(5) Documentation satisfactory to the Village that the proposed annexation complies with the applicable state annexation statutes and that the appropriate procedural steps have been satisfied. For example, such documentation could include an affidavit of publication stating that the class 1 notice of intention to circulate petition has been published.

(6) Any proposed temporary or permanent zoning for the annexed property, and the reason for such proposed zoning.

(7) A proposed preliminary plat or concept plan, if the property is intended to be divided subsequent to annexation.

(8) Any other information reasonably required by the Village.

Exhibit D (c) **Financial Analysis Report.** To help with the evaluation process, the Village Board shall require the preparation of a detailed financial analysis report addressing the impact the proposed annexation would have on Village revenues and the cost to provide municipal services to the property. The report shall be prepared by the Village with the help of the Village Engineer, Village Accountant and any other professional the Village Board deems appropriate. The annexation petitioner shall be responsible for reimbursing the Village of all costs associated with the preparation of the report. Such reimbursement should be addressed in the pre-annexation agreement. The report should include the following information:

(1) An estimate of the Village revenue that would be derived from the property.

(2) An estimate of the Village's cost to provide police, fire and emergency medical services to the annexed property after the property has been fully developed.

(3) An estimate of the Village's cost to provide public works services and facilities to the annexed property after the property has been fully developed (such as street construction and maintenance, the construction and maintenance of storm water management facilities).

(4) An estimate of the Village's cost to provide sanitary sewer and water service to the annexed property after the property has been fully developed.

(5) An estimate of the Village's cost to provide library, park and recreational facilities and services to the annexed property after the property has been fully developed.

(6) An estimate of the Village's cost to provide administrative services (such as services provided by the Village Administrator/Clerk-Treasurer, the Village Assessor, the Village Building Inspector, the Village Engineer, the Village Attorney) and facilities to the annexed property after the property has been annexed.

(7) As estimate of the School District's costs to provide public school services and facilities to the annexed property after the property is fully developed.

(8) Any other information reasonably required by the Village.

SECTION 82.04 **Annexation Factors.** In order to evaluate the impact of a proposed annexation on the Village, the Village may consider any factor it considers relevant including, but not limited to, the following factors: See review of Annexation Factors within memorandum.

(a) Whether the property is located within a Village urban service area.

(b) Whether the property is located within a planned Village growth area as identified in a Village Land Use Map.

(c) Whether the Village possesses adequate sanitary sewer capacity to serve the property once it is developed.

(d) Whether the Village possesses adequate municipal water capacity to serve the property once it is developed.

(e) Whether the Village possesses adequate police, fire, emergency medical, public works, and administrative services to serve the property once it is developed.

(f) The cost of providing Village municipal services to the property once it is developed.

(g) Whether it is desirable to extend Village municipal services to the property.

(h) What impact the proposed annexation and development have on municipal services in the Village, and how the Village will provide such services to the property.

(i) The amount of property tax and other Village revenue generated by the property once it is developed.

(j) Whether any deficiency in the provision of municipal services can be addressed by the Village and petitioner through a pre-development agreement.

(k) Whether the annexation is consistent with the goals, objectives, policies and recommendations of the current Village Master Plan.

(l) Whether the annexation is reasonably suitable and acceptable to the Village's needs.

(m) Whether the Village has a present or future need to annex the property based on the following factors:

(1) The necessity for orderly development of the Village.

(2) The necessity to accommodate any increase in the Village population.

(3) The necessity to accommodate any increase in population and economic growth that has occurred outside of the Village boundaries in planned Village growth areas.

(4) The need for additional areas within the Village to accommodate present or reasonably anticipated industrial, commercial, residential, or institutional growth.

(5) The need to avoid potential detrimental effects to the Village if the property is developed outside of the Village.

(n) Whether the annexation provides benefits to the property that can be realized only by annexation to the Village.

Exhibit A

SECTION 82.05 Pre-annexation Agreement.

(a) **Pre-annexation Agreement Required.** The Village Board shall require that the petitioner(s) enter into a pre-annexation agreement before any annexation will be approved. The pre-annexation agreement shall delineate the respective

expectations, obligations and commitments made by each party as a part of the annexation process and contain any conditions of annexation.

(b) **Conditions.** The conditions that may be placed upon the annexation as the Village Board deems necessary and appropriate include, but are not limited to, the following:

(1) Village Board approval of certified survey map or preliminary plat for the lands proposed for annexation.

(2) Village Board approval of the requisite zoning.

(3) Payment, or satisfactory arrangements for payment to be made, of all fees deemed reasonable and just by the Village Board for the applicable annexation.

(4) Reimbursement of all annexation-related costs incurred by the Village as required by this chapter.

(5) Compliance with all applicable state laws and local ordinances and policies.

(6) Other terms or conditions the Village Board deems appropriate.

SECTION 82.06 Reimbursement of Village Costs.

The petitioner(s) shall reimburse the Village for all engineering, consulting, and legal fees incurred by the Village in connection with the requested annexation.

SECTION 82.07 Adoption of Annexation Ordinance.

(a) **Adoption of Ordinance With or Without Contingencies.** When the Village Board determines that an annexation should be approved in accordance with the statutes, it will proceed with adoption of an annexation ordinance with or without contingencies as appropriate.

(b) **Effective Date of Annexation.** The annexation ordinance shall not be deemed unconditionally enacted until all contingencies imposed have been satisfied and the Village President and Administrator/Clerk-Treasurer sign the annexation ordinance. Accordingly, where contingencies are imposed as part of the annexation ordinance, the effective date of the annexation shall be the date the ordinance is signed.

Action on the DEVELOPMENT PROPOSAL will be the Village's Determination on the request for Annexation.

SECTION 82.08 Variances and Waivers.

None

The Village Board may, in its discretion, grant a variance or waiver from the terms of this chapter if it determines that it would substantially impair the overall intent of this chapter and would be detrimental to the public good to enforce the terms of this chapter strictly. The granting of any such variance or waiver shall require a three-fourths affirmative vote

of the entire Village Board. A public hearing, preceded by a Class 2 notice, is required before any variance or waiver can be granted.

(8) EXISTING ORDINANCES. Ordinances in force in the territory or any part of the territory, to the extent not inconsistent with this section or ch. 61, continue in force until altered or repealed.

(9) EXISTING INTERGOVERNMENTAL AND COOPERATIVE BOUNDARY AGREEMENTS. Intergovernmental cooperation agreements entered into under s. 66.0301 and cooperative boundary agreements approved under s. 66.0307, to which a town incorporating under this section is a party, that are still in effect on the effective date of the incorporation, shall continue in force until altered or repealed, to the extent allowed under the agreements. When incorporated under this section, a village shall be considered the town's successor with respect to such agreements.

(10) INTERIM OFFICERS, FIRST VILLAGE ELECTION. Section 66.0215 (8) and (9), as it applies to a town that is incorporated as a city under s. 66.0215, applies to a town that is incorporated as a village under this section.

(11) SUNSET. This section does not apply after June 30, 2020.

History: 2015 a. 55.

66.0217 Annexation initiated by electors and property owners. (1) DEFINITIONS. In this section, unless the context clearly requires otherwise:

(a) "Assessed value" means the value for general tax purposes as shown on the tax roll for the year next preceding the filing of any petition for annexation.

(b) "Department" means the department of administration.

(c) "Legal description" means a complete description of land to be annexed without internal references to any other document, and shall be described in one of the following ways:

1. By metes and bounds commencing at a monument at the section or quarter section corner or at the end of a boundary line of a recorded private claim or federal reservation in which the annexed land is located and in one of the following ways:

a. By government lot.

b. By recorded private claim.

c. By quarter section, section, township and range.

2. If the land is located in a recorded and filed subdivision or in an area subject to a certified survey map, by reference as described in s. 236.28 or s. 236.34 (3).

(d) "Owner" means the holder of record of an estate in possession in fee simple, or for life, in land or real property, or a vendee of record under a land contract for the sale of an estate in possession in fee simple or for life but does not include the vendor under a land contract. A tenant in common or joint tenant is an owner to the extent of his or her interest.

(e) "Petition" includes the original petition and any counterpart of the original petition.

(f) "Real property" means land and the improvements to the land.

(g) "Scale map" means a map that accurately reflects the legal description of the property to be annexed and the boundary of the annexing city or village, and that includes a graphic scale on the face of the map.

(2) DIRECT ANNEXATION BY UNANIMOUS APPROVAL. Except as provided in this subsection and sub. (14), and subject to ss. 66.0301 (6) (d) and 66.0307 (7), if a petition for direct annexation signed by all of the electors residing in the territory and the owners of all of the real property in the territory is filed with the city or village clerk, and with the town clerk of the town or towns in which the territory is located, together with a scale map and a legal description of the property to be annexed, an annexation ordinance for the annexation of the territory may be enacted by a two−thirds vote of the elected members of the governing body of the city or village without compliance with the notice requirements of sub. (4). In an annexation under this subsection, subject to sub. (6), the person filing the petition with the city or village clerk and the town clerk shall, within 5 days of the filing, mail a copy of the scale map and a legal description of the territory to be annexed to the department and the governing body shall review the advice of the department, if any, before enacting the annexation ordinance. No territory may be annexed by a city or village under this subsection unless the territory to be annexed is contiguous to the annexing city or village.

(3) OTHER METHODS OF ANNEXATION. Subject to ss. 66.0301 (6) (d) and 66.0307 (7), and except as provided in sub. (14), territory contiguous to a city or village may be annexed to the city or village in the following ways:

(a) *Direct annexation by one−half approval.* A petition for direct annexation may be filed with the city or village clerk if it has been signed by either of the following:

1. A number of qualified electors residing in the territory subject to the proposed annexation equal to at least the majority of votes cast for governor in the territory at the last gubernatorial election, and either of the following:

a. The owners of one−half of the land in area within the territory.

b. The owners of one−half of the real property in assessed value within the territory.

2. If no electors reside in the territory subject to the proposed annexation, by either of the following:

a. The owners of one−half of the land in area within the territory.

b. The owners of one−half of the real property in assessed value within the territory.

(b) *Annexation by referendum.* A petition for a referendum on the question of annexation may be filed with the city or village clerk signed by a number of qualified electors residing in the territory equal to at least 20% of the votes cast for governor in the territory at the last gubernatorial election, and the owners of at least 50% of the real property either in area or assessed value. The petition shall conform to the requirements of s. 8.40.

(4) NOTICE OF PROPOSED ANNEXATION. (a) An annexation under sub. (3) shall be initiated by publishing in the territory proposed for annexation a class 1 notice, under ch. 985, of intention to circulate an annexation petition. The notice shall contain:

1. A statement of intention to circulate an annexation petition.

2. A legal description of the territory proposed to be annexed and a copy of a scale map.

3. The name of the city or village to which the annexation is proposed.

4. The name of the town or towns from which the territory is proposed to be detached.

5. The name and post−office address of the person causing the notice to be published who shall be an elector or owner in the area proposed to be annexed.

6. A statement that a copy of the scale map may be inspected at the office of the town clerk for the territory proposed to be annexed and the office of the city or village clerk for the city or village to which the territory is proposed to be annexed.

(b) The person who has the notice published shall serve a copy of the notice, within 5 days after its publication, upon the clerk of each municipality affected, upon the clerk of each school district affected and upon each owner of land in a town if that land will be in a city or village after the annexation. Service may be either by personal service or by certified mail with return receipt requested. If required under sub. (6) (a), a copy of the notice shall be mailed to the department as provided in that paragraph.

(5) ANNEXATION PETITION. (a) An annexation petition under this section shall state the purpose of the petition, contain a legal description of the territory proposed to be annexed and have attached a scale map. The petition shall also specify the population of the territory. In this paragraph, "population" means the population of the territory as shown by the last federal census, by any subsequent population estimate certified as acceptable by the department or by an actual count certified as acceptable by the department.

(b) No person who has signed a petition may withdraw his or her name from the petition. No additional signatures may be added after a petition is filed.

(c) The circulation of the petition shall commence not less than 10 days nor more than 20 days after the date of publication of the notice of intention to circulate. The annexation petition is void unless filed within 6 months of the date of publication of the notice.

(6) DEPARTMENT REVIEW OF ANNEXATIONS. (a) *Annexations within populous counties.* No annexation proceeding within a county having a population of 50,000 or more is valid unless the person publishing a notice of annexation under sub. (4) mails a copy of the notice to the clerk of each municipality affected and the department, together with any fee imposed under s. 16.53 (14), within 5 days of the publication. The department shall within 20 days after receipt of the notice mail to the clerk of the town within which the territory lies and to the clerk of the proposed annexing village or city a notice that states whether in its opinion the annexation is in the public interest or is against the public interest and that advises the clerks of the reasons the annexation is in or against the public interest as defined in par. (c). The annexing municipality shall review the advice before final action is taken.

(b) *Alternative dispute resolution.* The department shall make available on its public Web site a list of persons who identify themselves to the department as professionals qualified to facilitate alternative dispute resolution of annexation, boundary, and land use disputes. Persons identifying themselves to the department as qualified professionals shall submit to the department a brief description of their qualifications, including membership in relevant professional associations and certifications in areas such as planning and alternative dispute resolution. The department may edit the descriptions for inclusion on the list using any criteria that, in the department's determination, is appropriate. The department may include with the list a disclaimer that the department is not responsible for the accuracy of the descriptions, and that inclusion of a person on the list does not represent endorsement by the department. The department may include links from the list to other websites, such as those of relevant professional associations and county dispute resolution centers.

(c) *Definition of public interest.* For purposes of this subsection "public interest" is determined by the department after consideration of the following:

1. Whether the governmental services, including zoning, to be supplied to the territory could clearly be better supplied by the town or by some other village or city whose boundaries are contiguous to the territory proposed for annexation which files with the circuit court a certified copy of a resolution adopted by a two−thirds vote of the elected members of the governing body indicating a willingness to annex the territory upon receiving an otherwise valid petition for the annexation of the territory.

2. The shape of the proposed annexation and the homogeneity of the territory with the annexing village or city and any other contiguous village or city.

(d) *Direct annexation by unanimous approval.* 1. Upon the request of the town affected by the annexation, the department shall review an annexation under sub. (2) to determine whether the annexation violates any of the following, provided that the town submits its request to the department within 30 days of the enactment of the annexation ordinance:

a. The requirement under sub. (2) regarding the contiguity of the territory to be annexed with the annexing city or village.

b. The requirement under sub. (14) (b).

2. Following its review, and within 20 days of receiving the town's request, the department shall send a copy of its findings to any affected landowner, the town affected by the annexation, and the annexing city or village. If the department does not complete its review and send a copy of its findings within 20 days of receiving the town's request, the effect on the town and the annexing city or village shall be the same as if the department found no violation of the requirements specified in subd. 1. If the department finds that an annexation violates any requirement specified in subd. 1., the town from which territory is annexed may, within 45 days of its receipt of the department's findings, challenge the annexation in circuit court.

3. If the town commences an action to challenge the annexation and the circuit court rules against the town, the town shall pay the court costs and the city's or village's reasonable attorney fees incurred in defending the annexation. If the town commences an action to challenge the annexation and the circuit court rules in the town's favor and upholds the town's challenge, the city or village shall pay the court costs and the town's reasonable attorney fees incurred in challenging the annexation.

(7) REFERENDUM. (a) *Notice.* 1. Within 60 days after the filing of the petition under sub. (3), the common council or village board may accept or reject the petition and if rejected no further action may be taken on the petition. Acceptance may consist of adoption of an annexation ordinance. Failure to reject the petition obligates the city or village to pay the cost of any referendum favorable to annexation.

2. If the petition is not rejected the clerk of the city or village with whom the annexation petition is filed shall give written notice of the petition by personal service or registered mail with return receipt requested to the clerk of any town from which territory is proposed to be detached and shall give like notice to any person who files a written request with the clerk. The notice shall indicate whether the petition is for direct annexation or whether it requests a referendum on the question of annexation.

3. If the notice indicates that the petition is for a referendum on the question of annexation, the clerk of the city or village shall file the notice as provided in s. 8.37. If the notice indicates that the petition is for a referendum on the question of annexation, the town clerk shall give notice as provided in par. (c) of a referendum of the electors residing in the area proposed for annexation to be held not less than 70 days nor more than 100 days after the date of personal service or mailing of the notice required under this paragraph. If the notice indicates that the petition is for direct annexation, no referendum shall be held unless within 30 days after the date of personal service or mailing of the notice required under this paragraph, a petition conforming to the requirements of s. 8.40 requesting a referendum is filed with the town clerk as provided in s. 8.37, signed by at least 20% of the electors residing in the area proposed to be annexed. If a petition requesting a referendum is filed, the clerk shall give notice as provided in par. (c) of a referendum of the electors residing in the area proposed for annexation to be held not less than 70 days nor more than 100 days after the receipt of the petition and shall mail a copy of the notice to the clerk of the city or village to which the annexation is proposed. The referendum shall be held at a convenient place within the town to be specified in the notice.

(b) *Clerk to act.* If more than one town is involved, the city or village clerk shall determine as nearly as is practicable which town contains the most electors in the area proposed to be annexed and shall indicate in the notice required under par. (a) that determination. The clerk of the town so designated shall perform the duties required under this subsection and the election shall be conducted in the town as are other elections.

(c) *Publication of notice.* The notice shall be published in a newspaper of general circulation in the area proposed to be annexed on the publication day next preceding the referendum election and one week prior to that publication.

(d) *How conducted.* The referendum shall be conducted by the town election officials but the town board may reduce the number of election officials for that election. The ballots shall contain the words "For annexation" and "Against annexation" and shall otherwise conform to the provisions of s. 5.64 (2). The election shall be conducted as are other town elections in accordance with chs. 6 and 7 to the extent applicable.

(e) *Canvass; statement to be filed.* The election inspectors shall make a statement of the holding of the election showing the whole number of votes cast, and the number cast for and against annexation, attach their affidavit to the statement and immediately file it in the office of the town clerk. They shall file a certified statement of the results in the office of the clerk of each other municipality affected.

(f) *Costs.* If the referendum is against annexation, the costs of the election shall be borne by the towns involved in the proportion that the number of electors of each town within the territory proposed to be annexed, voting in the referendum, bears to the total number of electors in that territory, voting in the referendum.

(g) *Effect.* If the result of the referendum is against annexation, all previous proceedings are nullified. If the result of the referendum is for annexation, failure of any town official to perform literally any duty required by this section does not invalidate the annexation.

(8) ANNEXATION ORDINANCE. (a) An ordinance for the annexation of the territory described in the annexation petition under sub. (3) may be enacted by a two−thirds vote of the elected members of the governing body not less than 20 days after the publication of the notice of intention to circulate the petition and not later than 120 days after the date of filing with the city or village clerk of the petition for annexation or of the referendum election if favorable to the annexation. If the annexation is subject to sub. (6) the governing body shall first review the reasons given by the department that the proposed annexation is against the public interest. An ordinance under this subsection may temporarily designate the classification of the annexed area for zoning purposes until the zoning ordinance is amended as prescribed in s. 62.23 (7) (d). Before introduction of an ordinance containing a temporary classification, the proposed classification shall be referred to and recommended by the plan commission. The authority to make a temporary classification is not effective when the county ordinance prevails during litigation as provided in s. 59.69 (7).

(b) The ordinance may annex the territory to an existing ward or may create an additional ward.

(c) The annexation is effective upon enactment of the annexation ordinance. The board of school directors in a 1st class city is not required to administer the schools in any territory annexed to the city until July 1 following the annexation.

(9) FILING REQUIREMENTS; SURVEYS. (a) The clerk of a city or village which has annexed territory shall file immediately with the secretary of administration a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The city or village shall also file with the county clerk or board of election commissioners the report required by s. 5.15 (4) (bg). The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district. Failure to file, record or send does not invalidate the annexation and the duty to file, record or send is a continuing one. The ordinance that is filed, recorded or sent shall describe the annexed territory and the associated population. The information filed with the secretary of administration shall be utilized in making recommendations for adjustments to entitlements under the federal revenue sharing program and distribution of funds under ch. 79. The clerk shall certify annually to the secretary of administration and record with the register of deeds a legal description of the total boundaries of the municipality as those boundaries existed on December 1, unless there has been no change in the 12 months preceding.

(b) Within 10 days of receipt of the ordinance, certificate and plat, the secretary of administration shall forward 2 copies of the ordinance, certificate and plat to the department of transportation, one copy to the department of administration, one copy to the department of revenue, one copy to the department of public instruction, one copy to the department, one copy to the department of natural resources, one copy to the department of agriculture, trade and consumer protection and 2 copies to the clerk of the municipality from which the territory was annexed.

(c) Any city or village may direct a survey of its present boundaries to be made, and when properly attested the survey and plat may be filed in the office of the register of deeds in the county in which the city or village is located. Upon filing, the survey and plat are prima facie evidence of the facts set forth in the survey and plat.

(10) QUALIFICATIONS OF ELECTORS AND OWNERS; ELECTOR DETERMINATION. (a) Under this section, qualifications as to electors and owners shall be determined as of the date of filing a petition, except that all qualified electors residing in the territory proposed for annexation on the day of a referendum election may vote in the election. Residence and ownership shall be bona fide and not acquired for the purpose of defeating or invalidating the annexation proceedings.

(b) For purposes of this section, if a number of electors cannot be determined on the basis of reported election statistics, the number shall be determined in accordance with s. 60.74 (6).

(11) ACTION TO CONTEST ANNEXATION. (a) An action on any grounds, whether procedural or jurisdictional, to contest the validity of an annexation shall be commenced within the time after adoption of the annexation ordinance provided by s. 893.73 (2). During the action, the application of, and jurisdiction over, any county zoning in the area annexed is as provided under s. 59.69 (7).

(b) An action contesting an annexation shall be given preference in the circuit court. The court and the parties are encouraged to consider the application of s. 802.12 to an action contesting an annexation.

(c) Except as provided in sub. (6) (d) 2., no action on any grounds, whether procedural or jurisdictional, to contest the validity of an annexation under sub. (2), may be brought by any town.

(12) VALIDITY OF PLATS. If an annexation is declared invalid but before the declaration and subsequent to the annexation a plat is submitted and is approved as required in s. 236.10 (1) (a), the plat is validly approved despite the invalidity of the annexation.

(13) EFFECTIVE DATE OF ANNEXATIONS. Because the creation of congressional, legislative, supervisory and aldermanic districts of equal population is a matter of statewide concern, any annexation action that affects a tract of land that is the subject of an ordinance enacted or resolution adopted by any city during the period from January 1, 1990, to April 1, 1991, or any later date, expressing an intent to not exercise the city's authority to annex territory before April 1, 1991, or the specified later date, taken by a municipality during the period beginning on April 1 of the year commencing after each federal decennial census of population and ending on June 30 of the year commencing after that census, is effective on July 1 of the year commencing after that census or at such later date as may be specified in the annexation ordinance. This subsection first applies to annexations effective after March 31, 1991.

(14) LIMITATIONS ON ANNEXATION AUTHORITY. (a) 1. Except as provided in subd. 2., no territory may be annexed by a city or village under this section unless the city or village agrees to pay annually to the town, for 5 years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the tax roll under s. 70.65, in the year in which the annexation is final.

2. No payments under subd. 1. must be made if the city or village, and the town, enter into a boundary agreement under s. 66.0225, 66.0301, or 66.0307.

(b) No territory may be annexed by a city or village under this section if no part of the city or village is located in the same county as the territory that is subject to the proposed annexation unless the

town board adopts a resolution approving the proposed annexation.

(15) LAW APPLICABLE. Section 66.0203 (8) (c) applies to annexations under this section.

History: 1973 c. 37, 90, 143, 333; 1977 c. 29 ss. 698, 1654 (8) (c); 1977 c. 187 s. 134; 1977 c. 315, 447; 1979 c. 323; 1979 c. 361 s. 112; 1983 a. 29, 189, 219; 1985 a. 225; 1987 a. 391; 1989 a. 192; 1991 a. 5, 39, 269, 316; 1993 a. 16, 247, 301, 329, 491; 1995 a. 27 ss. 3308 to 3312, 9116 (5), 9145 (1); 1995 a. 201, 225; 1997 a. 27; 1999 a. 96; 1999 a. 150 ss. 44 to 47, 49 to 60, 63 to 65; Stats. 1999 s. 66.0217; 1999 a. 182 s. 197; 2001 a. 16, 30; 2003 a. 171, 317, 327; 2007 a. 43; 2009 a. 366; 2011 a. 75, 128; 2013 a. 80; 2015 a. 55.

Cross−reference: See s. 62.071 for special provision for annexations to cities of the first class.

In ascertaining whether a petition for annexation under sub. (2) (a) [now sub. (3) (a)] has been signed by the "owners of one−half of the land" in the proposed area of attachment, acreage within the territory constituting public streets and alleys is not to be taken into account in determining the sufficiency of the petition, no matter how owned or by whom. International Paper Co. v. Fond du Lac, 50 Wis. 2d 529, 184 N.W.2d 834 (1971).

An annexation ordinance is not void simply because it divides the town into 2 parts. Town of Waukechon v. Shawano, 53 Wis. 2d 593, 193 N.W.2d 661 (1972).

Although city limits did not extend the full width of a city−owned road, property on the other side was contiguous. When the boundaries of the parcel to be annexed were drawn by the petitioning landowners, the city could not be charged with arbitrary action. Town of Lyons v. Lake Geneva, 56 Wis. 2d 331, 202 N.W.2d 228 (1972).

When property owners, in petitioning for annexation, divide a tract so as to control one parcel by property owners and the other by population, the 2 resulting annexations are valid. Town of Waukesha v. City of Waukesha, 58 Wis. 2d 525, 206 N.W.2d 585 (1973).

Abundant benefits to the state from the annexation under review, including the provision of police, fire, and solid waste disposal services and library and recreational facilities satisfied the need factor of the rule of reason. Absent unfair inducement or pressures upon the petitioners for annexation, a showing of benefits to the annexed land can be considered on the question of need. Town of Lafayette v. City of Chippewa Falls, 70 Wis. 2d 610, 235 N.W.2d 435 (1975).

An eligible elector and a qualified elector are identical. Chapter 6 applies to annexation referendum elector qualifications under sub. (6) [now sub. (7)]. Washington v. Altoona, 73 Wis. 2d 250, 243 N.W.2d 404 (1976).

Direct annexation, not otherwise in conflict with the "rule of reason," was not invalidated because the petitioners were motivated by the desire to obtain a change in zoning of their land. Town of Pleasant Prairie v. City of Kenosha, 75 Wis. 2d 322, 249 N.W.2d 581 (1977).

When an action challenging annexation was filed before the sub. (10) (a) [now sub. (11) (a)] limitation ran and the plaintiff town board had given no explicit authorization for commencement of an action, the subsequent attempt to ratify the commencement of the action was a nullity. Town of Nasewaupee v. City of Sturgeon Bay, 77 Wis. 2d 110, 251 N.W.2d 845 (1977).

The sub. (5) (d) [now sub. (7) (d)] ballot language requirement is directory; substantial compliance is adequate. Town of Nasewaupee v. Sturgeon Bay, 146 Wis. 2d 492, 431 N.W.2d 699 (Ct. App. 1988).

Under sub. (5) (g) [now sub. (7) (g)], annexation fails in cases of a tie vote. Town of Nasewaupee v. Sturgeon Bay, 146 Wis. 2d 492, 431 N.W.2d 699 (Ct. App. 1988).

Under s. 893.73 (2) "adoption" refers to the legislative body's action of voting to approve an annexation ordinance and the statute of limitations begins to run as of that date. Town of Sheboygan v. City of Sheboygan, 150 Wis. 2d 210, 441 N.W.2d 752 (Ct. App. 1989).

An annexation ordinance must meet "rule of reason" requirements. Application of the rule is discussed. Town of Menasha v. City of Menasha, 170 Wis. 2d 181, 488 N.W.2d 128 (Ct. App. 1992).

A city could not reach across a lake to annex noncontiguous property. Town of Delavan v. City of Delavan, 176 Wis. 2d 516, 500 N.W.2d 268 (1993).

The prohibition in sub. (4) [now sub. (5)] of the withdrawal of names from a petition prevents the withdrawal of the entire petition. Town of De Pere v. City of De Pere, 184 Wis. 2d 278, 516 N.W.2d 1 (Ct. App. 1994).

A town contesting an annexation under sub. (10) [now sub. (11)] is not required to file a notice of claim under s. 893.80 against the annexing municipality. Town of Burke v. City of Madison, 225 Wis. 2d 615, 593 N.W.2d 822 (Ct. App. 1999), 98−0108.

A petition under sub. (5) (a) must be circulated by a qualified elector residing within the territory to be annexed. City of Chippewa Falls v. Town Of Hallie, 231 Wis. 2d 85, 604 N.W.2d 300 (Ct. App. 1999), 99−0832.

There are 3 prongs to the rule of reason: 1) that no arbitrary exclusions or irregularities appear in boundary lines; 2) that a need exists for the property; and 3) that the municipality commits no other misuse of discretion in the process. When direct annexation is initiated by property owners, generally, the annexing municipality is not charged with arbitrary action in drawing boundaries and the courts must be responsive to the property owners desires. The need requirement serves the purpose of furthering the policy favoring orderly growth of urban areas by preventing irrational gobbling up of territory. Town of Sugar Creek v. City of Elkhorn, 231 Wis. 2d 473, 605 N.W.2d 274 (Ct. App. 1999). 98−2514.

Separation of lands by a river does not make them noncontiguous under this section. Town of Campbell v. City of La Crosse, 2001 WI App 201, 247 Wis. 2d 946, 634 N.W.2d 840, 00−1914.

A municipality may not repeal an annexing ordinance already in effect by enacting a correcting ordinance. Town of Windsor v. Village of DeForest, 2003 WI App 114, 265 Wis. 2d 591, 666 N.W.2d 31, 02−0281.

Under the rule of prior precedence, in case of conflict between competing annexations, or between an annexation and a proceeding for the incorporation of a city or village, the proceeding first instituted has precedence, and the later one must yield. Annexation proceedings did not lose priority status when the ordinances were deemed invalid and dismissed by the circuit court but subsequently vindicated on appeal. Town of Campbell v. City of La Crosse, 2003 WI App 139, 266 Wis. 2d 107, 667 N.W.2d 356, 02−1150.

Section 66.021 (10) (now sub. (11)) does not prohibit an amendment to the complaint after the 90 days for filing the original complaint has run. Town of Campbell v. City of La Crosse, 2003 WI App 247, 268 Wis. 2d 253, 673 N.W.2d 696, 02−2541.

If the petitioners for annexation are in need of services that the town cannot provide but the city can, the need factor under the rule of reason is met. When no need is shown by the property owners, the annexing municipality must have a reasonable present or demonstrable future need for a substantial portion of the annexed territory. Whether an annexation is in the interest of the public is not one of the factors in the rule of reason and is not for the courts to decide. Even if the state issues a letter under s. 66.021 (11) (now sub. (6)) that the annexation is not in the public interest, the statute requires only that the city consider it. Town of Campbell v. City of La Crosse, 2003 WI App 247, 268 Wis. 2d 253, 673 N.W.2d 696, 02−2541.

A municipality is not required to enact a separate annexation ordinance for each of several parcels that are the subject of separate annexation petitions under sub. (2). Town of Baraboo v. Village of West Baraboo, 2005 WI App 96, 283 Wis. 2d 479, 699 N.W.2d 610, 04−0980.

Sub. (2), when read together and compared with the subs. (6) and (8), does not require the village to inform the department of its intention to annex less than all of the parcels originally proposed for annexation that were submitted for the department's review. Town of Baraboo v. Village of West Baraboo, 2005 WI App 96, 283 Wis. 2d 479, 699 N.W.2d 610, 04−0980.

Although an annexation petition may not be withdrawn by a petitioner once it is filed, neither sub. (2) nor *De Pere* prohibits a municipality from declining to annex a given parcel for any reason, including a petitioner's desire not to be annexed. Town of Baraboo v. Village of West Baraboo, 2005 WI App 96, 283 Wis. 2d 479, 699 N.W.2d 610, 04−0980.

In rule of reason cases, there is an exception to the general rule that a municipality may not be charged with any arbitrariness in the boundaries of an owner−petitioned annexation if the municipality can be shown to have been the real controlling influence in selecting the boundaries. Providing forms to prospective annexation petitioners, preparing maps and legal descriptions for the petitions, and providing other advice and technical assistance to petitioners does not render the municipality the controlling influence behind the annexation petitions nor does arranging an informational meeting of adjacent property owners only after several property owners in the area had contacted the municipality requesting information regarding a possible annexation. Town of Baraboo v. Village of West Baraboo, 2005 WI App 96, 283 Wis. 2d 479, 699 N.W.2d 610, 04−0980.

Sub. (11) (c) bars a town from contesting a direct annexation by unanimous approval under sub. (2). Under sub. (11) (c) an action to "contest the validity" of an annexation includes challenging an annexation as void. Barring such town actions does not render sub. (14) (b) 1. [now sub. (14) (b)] meaningless, as it still applies to annexations other than direct annexations by unanimous approval. While it may be true that towns may not use the threat of challenging the validity of an annexation to compel payments under sub. (14) (a) 1., that does not explain why a town could not use other means of compelling a village to pay the property tax set−off it owes the town. Town of Merrimac v. Village of Merrimac, 2008 WI App 98, 312 Wis. 2d 754, 753 N.W.2d 552, 07−2491.

Sub. (11) (c) is unambiguous. Adopting the town's argument that before sub. (11) (c) can act to bar a town's suit, the city must show that the annexation under sub. (2) was valid would render the phrase "no action on any grounds, whether procedural or jurisdictional, to contest the validity of an annexation under sub. (2), may be brought by any town" meaningless. Darboy Joint Sanitary District No. 1 v. City of Kaukauna, 2013 WI App 113, 350 Wis. 2d 435, 838 N.W.2d 103, 12−2639.

The legislature can constitutionally provide for the annexation of territory without a referendum. 60 Atty. Gen. 294.

The rule of reason in Wisconsin annexations. Knowles, 1972 WLR 1125.

66.0219 Annexation by referendum initiated by city or village. As a complete alternative to any other annexation procedure, and subject to sub. (10) and ss. 66.0301 (6) (d) and 66.0307 (7), unincorporated territory which contains electors and is contiguous to a city or village may be annexed to the city or village under this section. The definitions in s. 66.0217 (1) apply to this section.

(1) PROCEDURE FOR ANNEXATION. (a) The governing body of the city or village to which it is proposed to annex territory shall, by resolution adopted by two−thirds of the members−elect, declare its intention to apply to the circuit court for an order for an annexation referendum, and shall publish the resolution in a newspaper having general circulation in the area proposed to be annexed, as a class 1 notice, under ch. 985. The governing body shall prepare a scale map of the territory to be annexed, showing it in relation to the annexing city or village. The resolution shall contain a description of the territory to be affected, sufficiently accurate to determine its location, the name of the municipalities directly affected and the name and post−office address of the

Exhibit G

SECTION 84.28 (SR-3) Single Family Residential – 3 Zoning District.

(a) **Intent.** This district intends to create, preserve, and enhance areas for moderate density single family detached dwellings at an approximate density of 3 dwelling units per acre.

(b) **Principal Uses Permitted by Right.** Refer to Article III for detailed definitions and requirements for each of the following land uses.
- (1) Single Family
- (2) Selective Cutting
- (3) Community Garden
- (4) Outdoor Open Space Institutional
- (5) Passive Outdoor Recreation
- (6) Essential Services
- (7) Small Scale Public Services and Utilities
- (8) Community Living Arrangement (1-8 residents) meeting the requirements of Section 84.57(h)

(c) **Principal Uses Permitted as Conditional Use.** Refer to Article III for detailed definitions and requirements for each of the following land uses.
- (1) Cultivation
- (2) Clear Cutting
- (3) Indoor Institutional
- (4) Community Living Arrangement (9-15 residents) meeting the requirements of Section 84.57(i)
- (5) Bed and Breakfast
- (6) Large Wind Energy System
- (7) Large Solar Energy System

(d) **Accessory Uses Permitted by Right.** Refer to Article III for detailed definitions and requirements for each of the following land uses.
- (1) Home Occupation
- (2) In-Home Daycare (4-8 children)
- (3) In-Family Suite
- (4) Residential Accessory Structure
- (5) Nonresidential Accessory Structure
- (6) Recreational Facility
- (7) Landscape Feature
- (8) Residential Kennel
- (9) On-Site Parking
- (10) Satellite Dish
- (11) Personal Antenna and Towers
- (12) Communication Antenna

(e) **Accessory Uses Permitted as Conditional Use.** Refer to Article III for detailed definitions and requirements for each of the following land uses.
- (1) Accessory Dwelling Unit

(2) Residential Chicken Coop
(3) Residential Apiary
(4) Small Wind Energy System
(5) Small Solar Energy System

(f) **Temporary Uses.** Refer to Article III for detailed definitions and requirements for each of the following land uses. (Exempt from setbacks unless specified in Article III.)
(1) Temporary Outdoor Assembly
(2) Temporary Shelter Structure
(3) Temporary Storage Container
(4) Temporary On-Site Construction Storage
(5) Temporary Contractor's Project Office
(6) Temporary On-Site Real Estate Sales Office
(7) Temporary Relocatable Building
(8) Garage or Estate Sale

(g) **Density, Intensity, and Bulk Regulations for the (SR-3) Single Family Residential – 3 District.**

	Residential Uses	Nonresidential Uses
Minimum Lot Area	12,000 square feet	12,000 square feet
Maximum Density	3 dwelling units per acre	N/A
Minimum Lot Frontage	50 feet	50 feet
Maximum Building Coverage of Lot	45 percent	45 percent
Minimum Landscape Surface Ratio	40 percent	40 percent
Minimum Lot Width	100 feet	100 feet
Minimum Front Setback	25 feet	25 feet
Minimum Street Side Setback	25 feet	25 feet
Minimum Side Setback	12 feet	15 feet
Minimum Rear Setback	25 feet	20 feet
Maximum Principal Building Height	35 feet	35 feet
Minimum Principal Building Separation (multi-structure developments on shared lots)	24 feet	30 feet
Minimum Pavement Setback (lot line to pavement; excludes driveway entrances)	5 feet from side, or 0 feet for shared driveway; 10 feet from right of way or rear	5 feet from side, or 0 feet for shared driveway; 10 feet from right of way or rear
Minimum Parking Required	See Article III	See Article III
Minimum Garage Door Setback to Alley (if applicable)	8 feet for doors parallel to alley; 3 feet for door perpendicular to alley	8 feet for doors parallel to alley; 3 feet for door perpendicular to alley
Accessory Building Side Setback	10 feet	10 feet
Accessory Building Rear Setback	10 feet	10 feet
Maximum Accessory Building Height	Lesser of 15 feet or principal building height	20 feet

(h) **Regulations Applicable to All Uses.** Most development will also be subject to the following requirements:

(1) Article VI: Overlay Zoning Districts
(2) Article VII: Performance Standards
(3) Article VIII: Landscaping Regulations
(4) Chapter 87: Signage Regulations

Chapter Three: Land Use

This chapter is intended to guide land use decision-making in the Village. Long-range land use planning allows municipalities to guide development and redevelopment in a manner that maintains community character and protects sensitive environmental features.

This chapter contains a compilation of background information, goals, objectives, policies, and recommended programs to guide the future preservation and development of public and private lands in the Village of Cross Plains. It includes maps showing existing land uses and recommended future land uses.

LAND USE RECOMMENDATIONS SUMMARY

- Follow the recommendations shown in Maps 4a and 4b when making land use decisions.
- Promote compact residential neighborhoods to better manage the rate of community expansion, preserve farmland, maximize developable land, and protect natural resources.
- Enhance the character of the Main Street corridor by encouraging compatible new development and redevelopment.
- Use intergovernmental discussions and extraterritorial authorities to direct intensive new development such as subdivisions, commercial, and industrial development into the Village.
- Modify local land development ordinances where necessary to implement recommendations in this Plan, minimize potential land use conflicts, guide growth and development, and ensure high-quality site development.

Existing Land Use

Existing Land Use Categories

An accurate depiction of the existing land use pattern is the first step in planning for the desired future land use pattern. The set of categories below was used to prepare the existing land use map for the planning area (Map 3).

- **Agriculture/Rural:** Areas proposed for maintenance and protection as croplands, pasture, forested lands or other recognized agricultural activity. This includes provision of residential uses for the owner/tenant. Residential uses are restricted to one unit per 35 acres.
- **Single Family Residential - Exurban:** Single-family detached residential development served by individual on-site wastewater treatment (septic) systems.
- **Single Family Residential – Urban:** Single-family detached residential development served by a public water and sanitary sewer system.
- **Duplex Residential:** Areas designated for residential structures meant for occupancy by two families in two separate dwelling units. Density limits are generally established by the plan committee. This area could include condominiums, rental units, owner-occupied units, or redevelopment of existing housing into duplexes.
- **Multi-Family Residential:** Areas designated for residential structures meant to be occupied by more than two "family" units, and usually having several units per structure. This area includes rental apartments and owner-occupied condominiums.
- **Commercial:** Areas designated for development or redevelopment as retail, sales, service, office, recreational or residential uses. Access to these developments is available by walking or bicycle in addition to car traffic. These areas also include smaller shops, restaurants, and offices.
- **Government/Institutional:** Areas of governmental, educational, religious, or medical property uses. Other quasi-public organizations such as public utility facilities are included in this category.
- **Industrial:** Areas designated for manufacturing, warehousing, and uses which may require outdoor storage of materials, product or machinery. Industrial lands generally have moderate development standards and each parcel in an industrial setting should have a minimum size requirement.

- **Extraction:** Quarries, gravel pits, clay extraction, peat extraction and related land uses.
- **Vacant:** Open lands and vacant parcels.
- **Parks:** Areas designated as public access recreational areas. These areas may include natural areas, playgrounds, picnic areas, or other facilities to be enjoyed by the general public. This category does not distinguish "ownership" by governmental jurisdiction (Village, Town, County, State, or Federal).
- **Woodlands/Open Space:** Areas on the existing land use maps, identified during the planning process as being predominantly tree covered so as to create a closed canopy over a significant geographic area.
- **Detention/Infiltration:** Areas used for stormwater detention and infiltration.
- **Surface Water:** Existing navigable waters as identified on the USGS maps. Water areas include lakes, ponds, rivers, streams, creeks or any permanent bodies of water.
- **Right-of-Way:** Areas used for or owned by public transportation agencies.

Existing Land Use Pattern

An accurate depiction of the Village's *existing* land use pattern is the first step in planning for a desired *future* land use pattern. The Village's consultant prepared a map of the Village's existing land uses. Village staff and officials had an opportunity to review and suggest corrections to the existing land use map before it was finalized.

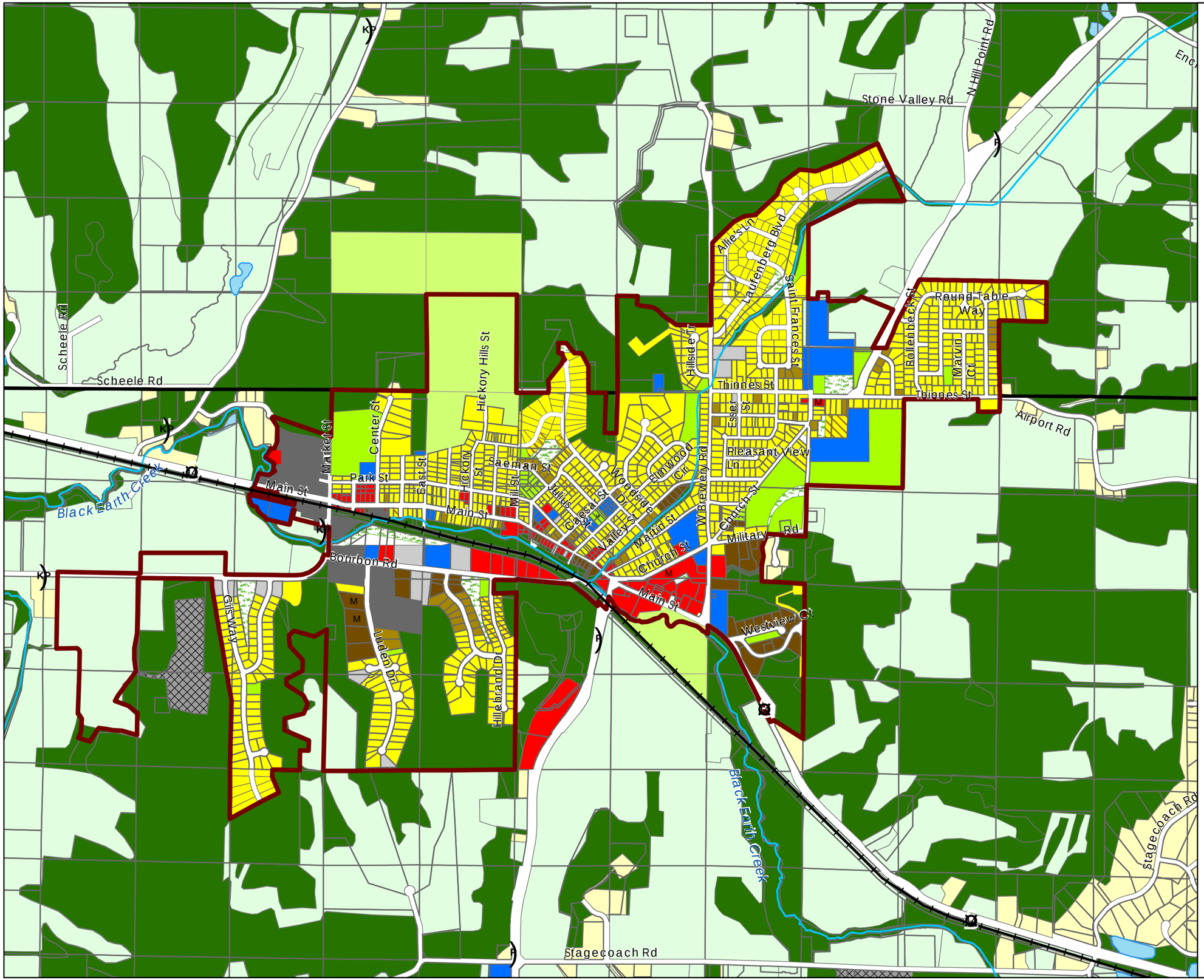
Figure 13 shows acreages for existing land uses within the village limits in 2005. As indicated, single-family residential is the primary land use with 32.4 percent (325.4 acres). The second leading land use is currently open space, with 256.6 acres (25.5 percent). Transportation is currently the third most prevalent land use (151.2 acres).

Figure 13: Existing Uses, 2005

Land Use Type	Acres	Percentage
Agriculture	64.4	6.4%
Commercial	29.2	2.9%
Gov/Institutional	73	7.3%
Industrial	29.8	3.0%
Open Space	256.6	25.5%
Parks and Rec	25.6	2.5%
Res Duplex	18.6	1.9%
Res Multi-Family	30.9	3.1%
Res Single Family	325.4	32.4%
Transportation	151.2	15.0%
TOTAL	**1004.7**	**100%**

Village of Cross Plains Comprehensive Plan

Map 3: Existing Land Use



Village of Cross Plains Boundary
Town Boundaries
Parcels
Railroads
Surface Water

Single Family Residential-Exurban
Single Family Residential-Urban
Duplex Residential
Multi-Family Residential
Commercial
Government/Institutional
Industrial
Extraction
Vacant
Agriculture/Rural
Conservancy
Parks
Woodlands/Open Space
Detention/Infiltration
Right-of-Way

0 500 1,000 2,000 3,000 Feet

Vandewalle & Associates
Planning - Creating - Rebuilding
© Vandewalle & Associates 2002

Date: June 9, 2008
Sources: Existing Land Use: MSA, V & A
All other data Dane County LIO

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Net Residential Density

In 2000 there were 1,228 dwelling units in the Village on 415.5 acres. This works out to an average residential density of just under three dwelling units per acre.

Nonresidential Intensity

Commercial and Industrial land uses each make up 4 percent of Village land area for a total of less than 8 percent of the acreage in the Village.

Land Market Trends

Trends in the Village of Cross Plains land market suggest increasing land values and lot prices. This reflects the accelerating demand for new development in the area, and the increasing relationship between the Village and surrounding higher-priced markets. The State Department of Revenue reported an increase in the total equalized values of the Village between 2000 and 2005 from $151,886,300 to $296,850,500.

Raw land values have increased in the Cross Plains area over the past several years. New residential lots in the Village sell for approximately $100,000. Land intended for commercial uses sell for between $5.00 and $12.00 per square foot, depending on location.

Building Permits

As depicted in Figure 14, the number of building permits for the Village of Cross Plains has increased steadily since 1998 with a high in 2002 of 52 building permits, 50 of which were residential. Assuming that those units granted permits in 2000 were not counted in the 2000 US Census, total dwelling units increased to about 1,418 through the end of 2004, a 15.5 percent increase in those 5 years. There was an average of 25 permits for single family houses issued between 1998 and 2006.

Figure 14: Recent Building Permits (1998 - 2006)

Building Permits					**Year**				
Use	**1998**	**1999**	**2000**	**2001**	**2002**	**2003**	**2004**	**2005**	**2006**
Residential									
Single-Family	1	10	22	33	49	47	37	23	6
Duplex					1			1	1
Commercial		1			1	1			
Municipal					1*				
Total:	1	11	22	33	52	48	37	24	7

*Fire Station

Source: U.S. Census Bureau

Existing and Potential Land Use Conflicts

Existing land use conflicts in the Village mainly occur where homeowners and businesses have occasional conflicts around the issues of noise and truck traffic associated with USH 14. Proximity near vacant or significantly underutilized buildings—such as the Zander Creamery site—can create challenges to property values and enjoyment of adjacent properties as well. This *Comprehensive Plan* is focused on minimizing potential future land use conflicts though thoughtful placement of possibly conflicting new uses, high quality design, and buffering of possibly conflicting uses.

Projected Demand for Future Land Uses

The interaction of local and regional dynamics will continue to drive population change, household size, the balance of residential and non-residential uses, and the density of development in the Cross Plains area. These factors, in turn, determine the demand for land development. The following calculations assume the average number of persons per household will decrease slightly from 2.56 to 2.5 and the number of houses per acre will increase slightly from 3 to 3.5 through the planning period. The fluctuations in acreage demands are a result of these assumptions.

Because the market for land is not only driven by demand, but is also dictated by the motivations and desires of land owners and developers, it is important to factor in an allowance for uncertainty. In other words, a given parcel of land may not be available for development when the market is ripe for development. Therefore, incorporating a flexibility factor into the projection ensures that the supply of areas designated as appropriate for development will accommodate future demand. These projections utilized a 100 percent flexibility factor (i.e. total projected land use needs were doubled).

Projected non-residential demand will be distributed in 5-year increments as follows. Land in commercial uses are projected increase by 26 acres from 2005 to 2010, 25 acres from 2010 to 2015, 26 acres from 2015 to 2020, 25 acres from 2020 to 2025, and 23 acres from 2025 to 2030 – a total of roughly 125 acres of additional commercial land use demand. Land in industrial uses are projected to increase by 26 acres from 2005 to 2010, 23 acres from 2010 to 2015, 20 acres from 2015 to 2020, 18 acres from 2020 to 2025, and 15 acres from 2025 to 2030 – a total of roughly 103 acres of industrial land uses. These may include some of those uses described on the Future Land Use Map as "Office/Research", "Light Industrial", and "General Industrial." This breakdown of projected commercial and industrial land uses reflects the historic balance of commercial and industrial uses in the Village, with some additional emphasis on commercial uses.

In general, agricultural land in the Village is expected to be an interim use pending development. Agricultural land uses in the Village will decline over the planning period, following current trends of agricultural land conversion in the Village. The amount of land in agricultural uses in the Village is projected to decline by roughly the amount of residential, commercial, and industrial land added to the Village every 5-years. The Village intends to work with neighboring towns to ensure that a significant portion of the land base in the Village's extraterritorial jurisdiction remains rural and in agricultural uses.

Figure 15: Projected Land Use Demand

	2005-2010	2010-2015	2015-2020	2020-2025	2025-2030	Total
Projected Number of New Residents	493	493	493	493	493	2,465
Projected Number of New Housing Units	193	194	196	197	197	977
New Residential Acreage Demand	64	62	61	59	56	302
New Non-Residential Acreage Demand	53	48	46	43	38	227
Land for Roads, Utilities, Stormwater Management, etc.	24	23	22	21	20	110
Flexibility Factor	2.0	2.0	2.0	2.0	2.0	
Total New Residential and Non-Residential Acreage Demand	257	243	237	224	208	1,168

Future Land Use

This section of the *Plan* has the intent of guiding land use and development in the Village through the year 2030. The Future Land Use Map (Maps 4a and 4b) is the centerpiece of this chapter and the *Plan*'s land use direction. Maps 4a and 4b were prepared based on an analysis of a variety of factors, including overall development trends, location and availability of vacant land in the Village, location of areas logical for future development based on existing development, environmental constraints, public and property owner input, and this *Plan*'s overall vision (see Element One: Issues and Opportunities).

The Future Land Use Map and related policies described below should be used as a basis to update the Village's regulatory land use tools, such as the Zoning Map. They should also be used as a basis for all public and private sector development decisions, including those within the Village's extraterritorial jurisdiction. These include annexations, rezonings, conditional use permits, land divisions, extension of municipal utilities, and other public or private investments. Changes in land use to implement the recommendations of this *Plan* will generally be initiated by property owners and private developers. In other words, this *Plan* does not automatically compel property owners to change the use of their land.

Not all land shown for development on the Future Land Use Map will be immediately appropriate for rezoning and other land use approvals following adoption of this *Plan*. Given service demands and other factors, careful consideration to the amount, mix, and timing of development to keep it manageable and sustainable is essential. The Village advocates the phased development of land that focuses growth in areas and types that advance the vision of the community and can be efficiently served with transportation, utilities, public services, and other community facilities.

Wisconsin Statutes specifically allow cities and villages to prepare plans for lands both inside and outside their municipal boundaries—up to the edges of their extraterritorial jurisdictions. To effectively manage growth, this *Plan* identifies desirable land use patterns both within the existing Village limits and in unincorporated areas around the Village. This approach recognizes that Village (and regional) growth and economic health can be either facilitated or impeded by the patterns of growth and preservation in adjacent areas. Not surprisingly, implementing many of the land use recommendations of this *Plan* will be greatly aided by intergovernmental cooperation, with opportunities described more fully in the Intergovernmental Cooperation Element. The Village may also take unilateral action as allowed by law to attempt to carry out its land use vision.

Each of the future land use categories shown on the Future Land Use Map are described below. Each land use category description includes summarizes where that type of land uses should be promoted, the appropriate zoning districts to implement that category, policies related to future development in areas designated by that category, and overall approaches for achieving the Village's overall vision for the future.

Land Use Goals, Objectives, and Policies

Goal:

1. Ensure that the character and location of all types of land uses within the Village contribute to the general health, safety, and welfare of Cross Plains' residents and property owners.

Objectives:

1. Provide for the complete range of land uses in the Village of Cross Plains by designating areas most appropriate for such uses on the Village's Future Land Use Map.
2. Achieve a compact, efficient development pattern in the Village to enhance the provision of municipal services.
3. Ensure that all new development can be adequately served by existing municipal services and facilities before development projects are approved.
4. Through the implementation of comprehensive planning and detailed area plans, work towards achieving the highest and best use of all vacant and underutilized lands and buildings in the Village of Cross Plains.

5. Protect established, viable residential neighborhoods from intrusions by more intensive land uses, such as intensive commercial and industrial uses, through the use or zoning or mitigation measures such as buffer yards, vegetative or structural screening, high quality site planning, sound-proofing, traffic access and control of parking lot lighting are incorporated into the design.
6. Regulate development in areas which may be annexed to the Village as identified for protection in the Water Quality Corridors in order to mitigate impacts on the area streams and maintain or enhance the base flow of those streams.
7. Improve the visual quality and physical design of the Village of Cross Plains by developing and enforcing new signage, landscaping, property maintenance, site plan review, building design, parking and outdoor storage regulations.
8. Consider the visual impacts of developments during the approval process and prevent development on or near slopes and bluffs in and around the Village.
9. Enforce parks and open space requirements for new developments.
10. Encourages cooperative planning with neighboring townships and counties to ensure that urban development is guided to the Urban Service Area and that very low density rural development (one dwelling unit per 35 acres owned and a maximum lot size of 2 acres) is encouraged in areas where municipal sanitary sewer service is not available or authorized.

Policies:

1. Follow the land use recommendations that are mapped and described in this *Plan* when reviewing new rezoning requests and making detailed land use decisions.
2. Guide new development to areas adjacent to existing development and where logical extensions to streets, sewer lines, and water lines may occur.
3. Require annexation prior to urban development to ensure that such development is consistent with Village plans, zoning and subdivision design standards, and Village utility systems.
4. Encourage agricultural preservation and natural resource protection and discourage the development of unsewered subdivisions in areas of the towns within the Village's extraterritorial jurisdiction.
5. Use cooperative planning, extraterritorial zoning and other techniques to direct intensive new development–such as subdivisions, commercial development, and industrial development–to the Village as a way to relieve pressure to develop in the towns.
6. Preserve and enhance the character of the Main Street corridor by encouraging compatible new development and redevelopment.
7. Preserve architecturally, culturally, and historically significant structures, buildings, and sites.
8. Disperse mixed-residential development throughout the Village, rather than creating large concentrations of this type of development in a just a few areas.
9. Ensure that incompatible land uses are not located close to one another, or, where necessary, require adequate buffering between incompatible land uses
10. Promote road and pedestrian connections between existing and new development areas.
11. Adopt and use high-quality standards for building, site, landscape, signage, and lighting design in new development projects.
12. Protect the visual quality of major community thoroughfares by requiring all development and redevelopment along these entry corridors to include site plan and design review.
13. Modify local land development and environmental protection ordinances where necessary to implement the goals, objectives, and recommendations in this *Plan*, minimize potential land use conflicts, guide growth and development, ensure high-quality site development, and adequately protect water quality.

Residential Land Use Categories

Single Family – Exurban

Description

This future land use category is intended for single family residential development on private well and on-site waste treatment (septic) systems, generally at densities between 1 dwelling unit per acre and 1 dwelling unit per 35 acres. This area is mapped in the Village's extraterritorial jurisdiction only, in limited areas where substantial single family residential development of this type has already occurred.

Recommended Zoning

This category is mapped in areas outside the municipal boundary, and is therefore subject to County zoning and/or in the Town of Cross Plains joint extraterritorial zoning and policies.

Policies and Programs

1. Allow land divisions in these extraterritorial jurisdiction areas where applicable zoning and the Village subdivision ordinance allows for them.
2. Consider amending the Village's land division ordinance to limit new development to a density of one residential dwelling unit per 35 acres with a maximum lot size of 2 acres.
3. Require sensitivity towards natural resources and water quality with new development projects, including assurances that concentrations of on-site waste treatment systems will not negatively affect groundwater quality and that stormwater will be properly managed according to best practices.
4. Assure that new development in these areas does not impede the logical future extension of municipal utilities or Village growth.

Single Family – Urban

Description

This future land use category is intended for existing and planned groupings of single-family detached residences that are served by public sanitary sewer and water systems. Small public and institutional uses—such as parks, schools, churches, and stormwater facilities—may also be built on lands within this category. This category is mapped in various parts of the Village of Cross Plains where the desire is to promote or retain single family character.

Recommended Zoning

The Villages R-1 single family zoning district is the most appropriate for areas mapped in this future land use category.

Policies and Programs

1. Future development in this designation will be served by the Village's public sanitary sewer and water systems and comply with the erosion and stormwater management requirements of the Village's subdivision ordinance.
2. Develop new single family residential areas in accordance with carefully-considered development plans including progressive erosion control and stormwater management techniques.
3. Pursue residential infill opportunities where feasible.
4. As maintenance and rehabilitation needs arise, work with the County, State and local lenders to assist homeowners and landlords with rehabilitation projects.
5. Refer to the Housing Element for detailed housing recommendations.

Two-Family/Townhouse

Description

This designation is primarily intended to allow groupings of attached single family residences with individual entries (e.g., zero lot line homes, townhouses, rowhouses, condominiums) and duplexes that are or will be served by public sanitary sewer and water systems. Small public and institutional uses—such as parks, schools, churches, and stormwater facilities—may also be built within this designation, if appropriate zoning is granted as considered on a case by case basis. The Two-Family/Townhouse development is mapped in areas of existing development. A limited amount of Two-Family/Townhouse uses may also be included in portions of new Planned Neighborhoods.

Recommended Zoning

The Villages R-2 two-family zoning district is the most appropriate for areas mapped in this future land use category.

Policies and Programs

1. Incorporate Two-Family/Townhouse residential uses in Planned Neighborhoods.
2. Future development in this designation will be served by the Village's public sanitary sewer and water systems and comply with the erosion and stormwater management requirements of the Village's subdivision ordinance.
3. As maintenance and rehabilitation needs arise, work with the County, State and local lenders to assist homeowners and landlords with rehabilitation projects.
4. Refer to the Housing Element for detailed housing recommendations.

Mixed Residential

Description

This future land use category is intended for a variety of residential units focused on multi-family housing (3+ unit buildings), served by public sanitary sewer and water systems. Single-family detached housing, attached single family residences with individual entries (e.g., townhouses, rowhouses), senior housing, and small public and institutional uses—such as parks, schools, churches, and stormwater facilities—may also be within lands mapped in this category, if appropriate zoning is granted as considered on a case by case basis. Mixed

Residential uses are mapped in existing multi-family development and a limited amount of multi-family housing may also be included in portions of new Planned Neighborhoods.

Recommended Zoning

The Village's RM multiple-family zoning district is the most appropriate district to implement this future land use category.

Policies and Programs

1. Future development in this designation will be served by the Village's public sanitary sewer and water systems and comply with the erosion and stormwater management requirements of the Village's subdivision ordinance.
2. Encourage multiple-family residential building sizes of between 4 and 6 units. In any case, the size of the building shall be in scale with the surrounding neighborhood.
3. Meet minimum site, building, landscape, lighting, and other design standards included in the Housing Element and the zoning ordinance.
4. Discourage large concentrations of multi-family and duplex/townhouse developments. Rather, this type of development should be dispersed throughout Planned Neighborhood areas.
5. Support projects that include a strong program for maintaining the quality, value, and safety of the development over time.

Planned Neighborhood

Description

The Planned Neighborhood future land use category is intended to provide for a variety of housing choices and a mix of non-residential uses such as parks, schools, religious institutions, and small-scale shopping and service areas. They are really a collection of different land use categories listed in this chapter. Planned Neighborhoods should be carefully designed as an integrated, interconnected mix of these use categories. They are by no means intended to justify an "anything goes" land use pattern. Overall, the composition and pattern of development should promote neighborhoods that instill a sense of community with their design.

The Planned Neighborhood concept encourages a mix of Single-Family Residential – Urban, Two-Family/Townhouse Residential, Mixed Residential, Community Facilities, Parks, and Neighborhood Business uses. Maintaining a minimum of 65 percent Single Family Residential – Urban uses has the effect of dispersing higher density development throughout the community and limiting the concentration of any one type of development in any one area. Appropriate commercial uses include neighborhood-oriented shopping opportunities, such as a small grocery store, barber shop, bakery, or pharmacy; smaller employment opportunities (usually located on the edges of these neighborhoods); and educational facilities (usually elementary schools) for area residents. Large areas of Planned Neighborhood area mapped at the edge of the Village.

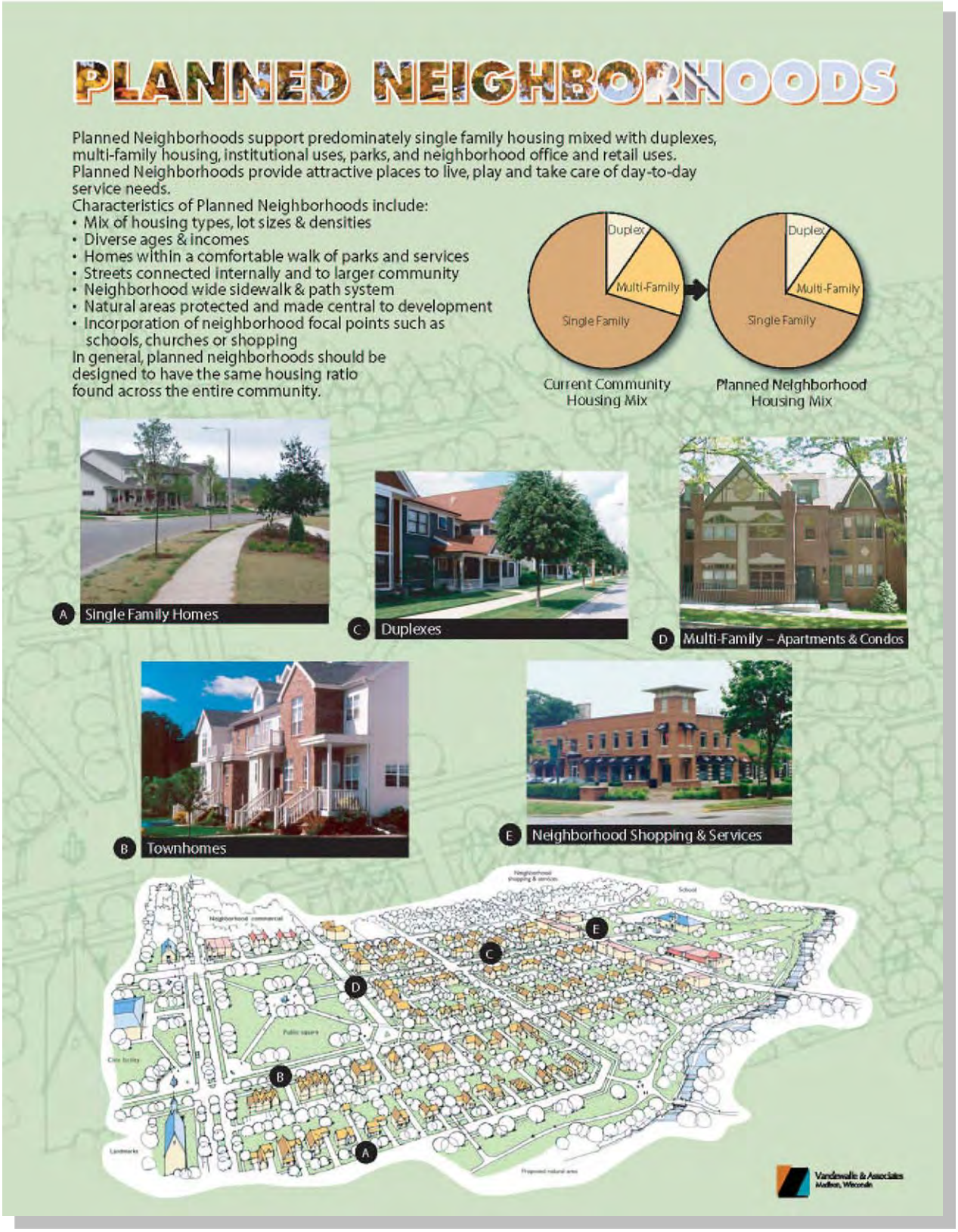
Recommended Zoning

The Village's PDD residential planned development zoning district is the most appropriate district to implement this future land use category.

Policies and Programs

1. Maintain overall residential development densities within Planned Neighborhoods of between 3 and 5 dwelling units per residential acre.
2. Accommodate a mixture of housing types, costs, and densities, while maintaining the predominance of single-family housing in the community. In Planned Neighborhoods, seek a housing mix where not less than 65 percent of all housing units are in single family detached residences, with a maximum of 15 percent of units in two-family dwellings and a maximum of 20 percent of units in multiple family dwellings.
3. Future development in this designation will be served by the Village's public sanitary sewer and water systems and comply with the erosion and stormwater management requirements of the Village's subdivision ordinance.
4. Avoid rezoning any area designated for Planned Neighborhood development until public sanitary sewer and water service is available and a neighborhood development plan and specific development proposal is offered for the site.
5. Require each Planned Neighborhood to be developed following preparation of a detailed neighborhood development plan by a developer or the Village, ideally adopted as a component of the Village's *Comprehensive Plan*. Such plans shall specify land use mix, density, street layouts, open space, erosion control, and stormwater management. See Chapter Six: Housing and Neighborhood Development.
6. Develop and adopt a conservation subdivision ordinance in accordance with Wis. Stat. 66.1027.
7. Develop and adopt a traditional neighborhood zoning district ordinance to allow for implementation of the traditional neighborhood design concept.
8. Adhere to the following design objectives for Planned Neighborhood areas depicted in Figure 16:
   - Create a distinct sense of place and charming human scale. Strategies include bringing buildings close to the sidewalk and local streets; providing public focal points with public plazas, greens and squares; creating visual interest; and designating prominent building sites.
   - Connect Planned Neighborhoods internally and to adjacent areas through a network of paths, sidewalks, and streets that discourage high travel speeds but still allow access to emergency and maintenance vehicles (e.g. fire trucks and snow plows).
   - Design neighborhoods with interconnected open space systems for recreation and progressive stormwater management.
   - Integrate a mix of uses and densities within and around the neighborhood commercial centers
   - Preserve and focus attention on environmentally sensitive areas and unique natural features.
   - Lay out streets, buildings, and public open spaces which take advantage of sweeping views created by local topography.

Figure 16: Planned Neighborhoods



Non-Residential Land Use Categories

Office/Research

Description

This future land use category is intended to facilitate high-quality office, research and development, recreational, and business park support uses (e.g., day care, hotel, health club, bank). Development will include generous landscaping, screened storage areas, and modest lighting and signage. Office/Research areas are mapped northeast of the Village along CTH P.

Recommended Zoning

The Village's BOR office and research business zoning district is most appropriate for areas within this future land use category.

Policies and Programs

1. Future development in this designation will be served by the Village's public sanitary sewer and water systems and comply with the erosion and stormwater management requirements of the Village's subdivision ordinance.
2. Encourage the use of high quality building materials, improved window treatments, high- quality loading and storage screening devices and landscaping.
3. Ensure that future office/research development is appropriately buffered from existing and planned residential development areas.
4. Adhere to adopted site and building design guidelines for office/research projects, and ordinances on other aspects of those projects like signage, landscaping, and lighting.
5. Require that all projects submit and have approved detailed building elevations and site plans, showing the proposed locations of the building(s), parking, storage, loading, signage, landscaping, and lighting prior to development approval.

Neighborhood Business

Description

This future land use category is intended for neighborhood-scale residential, office, and neighborhood supporting institutional and commercial land uses that mainly serve the surrounding neighborhoods on public sewer, public water, and other urban services and infrastructure. There are several areas throughout the Village—general in close proximity to existing or future residential neighborhoods—that are mapped in this category.

Recommended Zoning

The Village's BN neighborhood business zoning district is the most appropriate district to implement this future land use category.

Policies and Programs

1. Encourage neighborhood-oriented retail and service businesses in areas that will conveniently serve Village neighborhoods.
2. Require that all proposed commercial projects submit a detailed site plan, building elevations, lighting plan, grading/stormwater management plan, and signage plan prior to development approval.
3. In Neighborhood Business areas, require the use of high-quality building materials and designs that are compatible with residential areas, including residential roof materials such as shingles; generous window placements; and exterior materials such as wood, cement board, vinyl siding, brick, decorative block, stone, and other materials approved by the Plan Commission.
4. Require calm, low-key, and attractive lighting and signage that are compatible with residential areas.

Planned Business

Description

This future land use category includes large-scale commercial and office land uses, including national and regional retailers, which serve the entire community and people from nearby communities on public sewer, public water, and other urban services and infrastructure. Planned Business land uses are located south of Church Street west of Brewery Road.

Recommended Zoning

The Village's PDD business planned development district or the BN neighborhood business zoning district are the most appropriate districts to implement this future land use category.

Policies and Programs

1. Future development in this designation will be served by the Village's public sanitary sewer and water systems and comply with the erosion and stormwater management requirements of the Village's subdivision ordinance.
2. Adhere to site, building, signage, landscaping, and lighting design guidelines for commercial, large scale retail, and mixed use development projects.
3. Adhere to established standards for highway access control, shared driveways, and cross access.
4. Require that all commercial projects submit and have approved detailed building elevations and site plans, showing the proposed locations of the building(s), parking, storage, loading, signage, landscaping, and lighting prior to development approval.
5. Prohibit the unscreened outdoor storage of equipment or materials, except for automobiles.
6. Consider the relationship between development in the Planned Business areas and existing and future development behind these sites. Avoid inhibiting future access to sites behind commercial properties and creating an unattractive appearance which will inhibit future development of these sites.
7. Encourage uses that are most appropriate for the Village's Downtown areas to develop or remain in the Downtown, rather than in locations designated as Planned Business.

Downtown

Description

The unique incorporation of the two hamlets into one Village created two areas of downtown character development in Cross Plains along Highway 14. These areas are intended to remain the civic, social, and commercial hub of the community. This opportunity has recently been enhanced through the revitalization planning efforts along Highway 14.

This category is intended for a mix of retail, commercial service, office, institutional, governmental, and residential (mainly upper stories) uses arranged in a pedestrian-oriented environment with on-street parking;

minimal front and side yard building setbacks; and building designs, materials, placement, and scale that are compatible with the character of existing development. The Downtown future land use category is mapped over the historic Downtown areas.

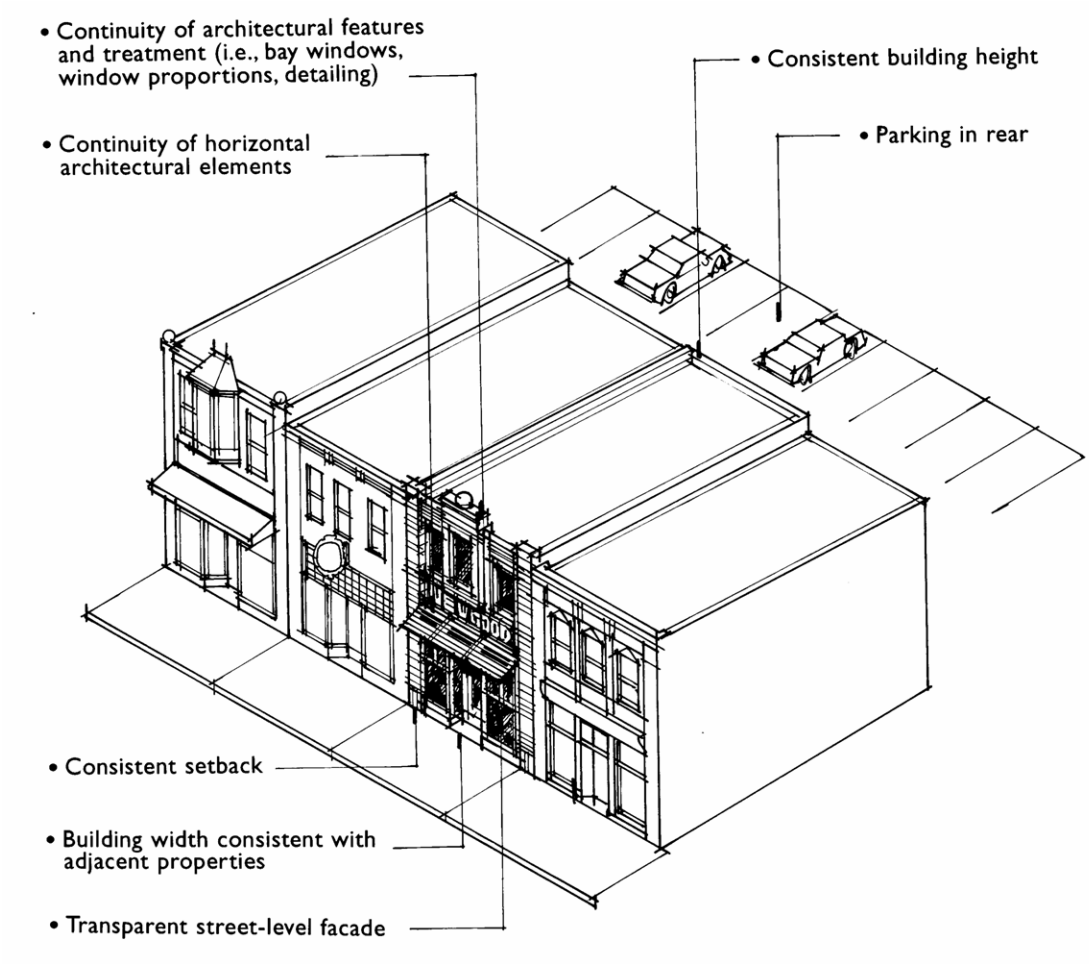
Recommended Zoning

While the Village's BC(O) central business overlay zoning district will accommodate this future land use category, the Village should consider adopting a stand alone downtown zoning district to implement this future land use category.

Policies and Programs

1. Follow the recommendations of the Cross Plains Downtown Revitalization Plan, which provides additional detail on desired future land uses along Highway 14 in the Village.
2. Preserve the architectural and historic character of the Downtown areas and buildings by requiring that new development, expansions, and exterior renovations comply with general design standards in the Downtown Revitalization Plan.
3. Grant development approvals only after submittal, public review, and approval or site, landscaping, building, signage, lighting, stormwater, erosion control, and utility plans.
4. Encourage commercial developments that are most appropriate for the historic Downtown areas to locate or remain there, rather than in other business districts in the Village.
5. Promote the expansion, retention, and upgrading of specialty retail, restaurants, financial services, offices, professional services, residential, and community uses through marketing, investment and incentive strategies.
6. Adopt a central business zoning district to preserve the character of Downtown areas consistent with the characteristics of Figure 17 and the guidelines identified in "Cross Plains Main Street Design Standards" including use, two story minimums, and "build to lines".

Figure 17: Appropriate Historic Downtown Development



Planned Mixed Use

Description

This future land use category is intended to facilitate a carefully controlled mix of commercial and residential uses on public sewer, public water, and other urban services and infrastructure. This category advises a carefully designed blend of Planned Business, Light Industrial, Mixed Residential, and Community Facilities land uses. Planned Mixed Use land uses are focused along Bourbon Road.

Recommended Zoning

The Village's PDD business planned development zoning district is the most appropriate district to implement this future land use category.

Policies and Programs

1. Carefully review all projects in Planned Mixed Use areas to ensure an appropriate mix of uses which are compatible with neighboring properties and the Village's vision for the area. The precise mix of uses and zoning districts should be at the Village's discretion, rather than the property owner.
2. Future development in this designation will be served by the Village's public sanitary sewer and water systems and comply with the erosion and stormwater management requirements of the Village's subdivision ordinance.
3. Grant development approvals only after submittal, public review, and approval or site, landscaping, building, signage, lighting, stormwater, erosion control, and utility plans.
4. In Planned Mixed Use areas, require the use of high-quality building materials and designs as approved by the Plan Commission.
5. Adhere to established standards for highway access control, shared driveways, and cross access.

Light Industrial

Description

This future land use category is intended to facilitate indoor-oriented manufacturing, warehousing, and distribution land uses with moderate landscaping and signage, served by public sewer, public water, and other urban services and infrastructure. Light Industrial areas are mapped northeast of the Village east of CTH P and on the west side of the Village on Main Street.

Recommended Zoning

While the Village's I industrial zoning district will accommodate this future land use category, the Village should consider adopting a new light industrial zoning district.

Policies and Programs

1. As opportunities for reinvestment and redevelopment of existing industrial properties occur, improve the appearance of building facades exposed to the public view, including loading docks and storage areas.
2. Future development in this designation will be served by the Village's public sanitary sewer and water systems and comply with the erosion and stormwater management requirements of the Village's subdivision ordinance.
3. Encourage the use of high quality building materials, improved window treatments, high- quality loading and storage screening devices and landscaping.
4. Ensure that future industrial development is appropriately buffered from existing and planned residential development areas.
5. Adhere to adopted site and building design guidelines for industrial projects, and ordinances on other aspects of those projects like signage, landscaping, and lighting.
6. Require that all industrial projects submit and have approved detailed building elevations and site plans, showing the proposed locations of the building(s), parking, storage, loading, signage, landscaping, and lighting prior to development approval.
7. Enforce the Performance Standards outlined in the zoning ordinance to limit the impact of Light Industrial land uses on adjacent and nearby property, including limits on excessive, noise, odor, glare, vibration, storage of hazardous and/or waste materials, and emanations of solid, liquid, and gaseous waste products.
8. Consider adopting a new light industrial zoning district to implement this future land use category.

General Industrial

Description

This future land use category includes indoor manufacturing, warehousing, distribution, and office uses, often with significant outdoor storage or processing of materials. New development should adhere to high-quality building design, generous landscaping, modest lighting, screened storage and processing areas, and limited and attractive signage. These areas should be located near arterial roads and away from existing or planned residential areas and high visibility community gateways whenever possible. The Village has not mapped any specific areas in this category at this time. Instead, the Village will consider applications for rezoning and *Plan* amendment for general industrial uses on a case-by-case basis.

Recommended Zoning

The Village's I industrial zoning district is most appropriate for areas within this future land use category.

Policies and Programs

1. As opportunities for reinvestment and redevelopment of existing industrial properties occur, improve the appearance of building facades exposed to the public view, including loading docks and storage areas.
2. Future development in this designation will be served by the Village's public sanitary sewer and water systems and comply with the erosion and stormwater management requirements of the Village's subdivision ordinance.
3. Encourage the use of moderate quality building materials, improved window treatments, effective loading and storage screening devices and landscaping.
4. Ensure that future industrial development is appropriately buffered from existing and planned residential development areas.
5. Adhere to adopted site and building design guidelines for industrial projects, and ordinances on other aspects of those projects like signage, landscaping, and lighting.

6. Require that all industrial projects submit and have approved detailed building elevations and site plans, showing the proposed locations of the building(s), parking, storage, loading, signage, landscaping, and lighting prior to development approval.
7. Enforce the Performance Standards outlined in the zoning ordinance to limit the impact of General Industrial land uses on adjacent and nearby property, including limits on excessive, noise, odor, glare, vibration, storage of hazardous and/or waste materials, and emanations of solid, liquid, and gaseous waste products.

Community Facilities

Description

This future land use category is designed to facilitate large-scale public buildings, schools, religious institutions, power plants and substations, hospitals, and special care facilities. The Future Land Use Map generally shows existing locations of such facilities. Future small-scale institutional uses may also be located in areas planned for residential, commercial, office, industrial, or mixed uses, while larger-scale institutional uses should generally be avoided in planned residential areas.

Recommended Zoning

While community facilities are conditional uses in all zoning districts, the Village should consider adopting an institutional or community facilities zoning district to implement this future land use category.

Policies and Programs

1. Require and review a detailed site and operations plan before new or expanded institutional uses are approved.
2. Existing residential uses shall be adequately buffered from the institutional use via the use of decorative fencing, vegetative screening, berms or similar features.
3. Existing institutional uses shall work with the surrounding neighborhood to discuss potential long-term expansion plans and how these plans would impact the area. Pre-identified institutional expansion areas shall be delineated by institutions whenever possible to minimize the potential for future land use conflicts.
4. As a general rule, institutional uses should not generate on-street parking in residential neighborhoods. All parking needs for institutional uses should be met on-site.
5. Institutional uses shall be designed to be easily served by transit vehicles.
6. Continue to work with the Middleton-Cross Plains School District to coordinate uses and activities on district-owned land.
7. Encourage collaboration among the Public Works, Fire, and Police Department, and other providers of Village services, on accommodating future service needs, as described in greater detail in the Utilities and Community Facilities Element.
8. Adopt an institutional or community facilities zoning district to implement this future land use category. Such a district should allow major public and quasi-public uses such as cemeteries, municipal buildings, parks, and schools.

Rural/Environmental Land Use Categories

Agriculture/Rural

Description

The Agriculture/Rural future land use category is established and mapped on Maps 4a and 4b within the Village's extraterritorial jurisdiction to preserve productive agricultural and forest lands in the long-term, protect existing farm operations from encroachment by incompatible uses, promote further investments in farming, and maintain farmer eligibility for incentive programs.

This category focuses on lands actively used for farming, with productive agricultural soils, with topographic conditions suitable for farming, and with long-term suitability for farming. This category also includes scattered open lands and woodlots, farmsteads, agricultural-related uses, such as implement dealerships, associated home occupations and small family businesses which do not interfere with the interests of nearby property owners, small-scale forest production and processing, and limited single-family residential development at densities at or below one home per 35 acres, with a maximum lots size of 2 acres.

Recommended Zoning

These lands are subject to Town zoning or joint extraterritorial zoning, and should generally be zoned for exclusive agricultural use.

Policies and Programs

1. Continue to act as an approval authority on proposed land divisions within the Village's extraterritorial jurisdiction to help assure the implementation of this desired future land use designation.
2. Support land developments in this area only where clearly related to the description above and where proposed housing (or other non-farm use) is at very low densities.
3. Do not extend sanitary sewer service or public water service into Agriculture/Rural areas until and unless the Village changes the future land use category for such areas through a *Comprehensive Plan* amendment.
4. Work with the adjoining Towns and County to achieve these policies and programs in a cooperative manner.

Parks

Description

This category generally includes publicly-owned land designated as Village parks or other recreational facilities owned by public or non-profit agencies. Some Park areas may also be accommodated within other land use categories, such as in Single Family Residential – Urban areas and Planned Neighborhoods.

Recommended Zoning

While parks are conditional uses in all zoning districts, the Village should consider adopting an institutional or community facilities zoning district to implement this future land use category.

Policies and Programs

1. Continue to review the Village's park impact ordinance to ensure that new residential development provides public park and recreational facilities, or fees in lieu of such facilities, following State statutory requirements.
2. Follow the Village's Parks and Open Space Plan when making decisions related to the park system, and update that plan every five years.

3. Ensure that all land use decisions take into consideration the recommendations included in the Utilities and Community Facilities Element of this *Plan*.
4. Design future planned neighborhoods around and with access to environmental corridors and Parks areas without negatively affecting them from an environmental standpoint.

Conservancy

Description

This category generally includes publicly-owned land designated as State or County natural areas or other recreational facilities. Conservancy is mapped along Black Earth Creek through the Village and conservation-owned land.

Recommended Zoning

The Village's C conservancy zoning district is most appropriate for areas within this future land use category.

Policies and Programs

1. Continue to work with local and state agencies and organizations to protect sensitive natural areas.
2. Ensure that future development is appropriately buffered from existing and planned Conservancy areas.
3. Continue to work with WisDNR, Dane County, and others to coordinate possible connections between public recreation areas and the Village.
4. Ensure that all land use decisions take into consideration the recommendations included in the Agricultural, Natural, and Cultural and Community Facilities Elements of this *Plan*.
5. Low impact harvesting for conservation areas; if no special restriction.
6. Allow low impact timber harvesting in Conservancy areas, is no special restrictions exist.

Woodlands

Description

This category generally includes tracts of woodlands and scattered open space lands. Woodlands are mapped throughout the planning area, particularly on hilltops.

Recommended Zoning

The Village's HILL(O) hillside/hilltop protection zoning district is most appropriate for areas within this future land use category.

Policies and Programs

1. If development is proposed in areas where Woodlands have been mapped or are adjoining, the landowner or developer is responsible for determining the exact boundaries of the Woodlands and preserving these areas.
2. Continue to work with local and state agencies and organizations to protect sensitive natural areas.
3. Continue to work with WisDNR, Dane County, and others to coordinate possible connections between public recreation areas and the Village.
4. Ensure that all land use decisions take into consideration the recommendations included in the Agricultural, Natural, and Cultural and Community Facilities Elements of this *Plan*.

Environmental Corridor

Description

The Environmental Corridor category includes generally continuous open space systems based on lands that have sensitive natural resources and limitations for development. This designation includes WisDNR identified wetlands subject to existing State-mandated zoning, FEMA designated floodplains, shoreland setback areas, and slopes of 20 percent or greater. Environmental Corridor areas are generally located along the creeks.

Recommended Zoning

The Village's NR(O) natural resource protection overlay zoning district is most appropriate for areas within this future land use category.

Policies and Programs

1. New development in mapped Environmental Corridor areas should be prohibited.
2. If development is proposed in areas where environmental corridors have been mapped or are adjoining, the landowner or developer is responsible for determining the exact boundaries of the Environmental Corridor based on the wetland, floodplain, or steep slope that comprise the corridor.
3. Continue to allow existing agricultural uses (cropping, grazing, or other preexisting agricultural uses) within Environmental Corridors.

Water Quality Corridors

Description

This designation is an overlay to identify areas within the Village's extraterritorial jurisdiction where development may have particularly significant impacts on streams so that special protection measures are taken to protect stream water quality and base flow should these areas be annexed.

Recommended Zoning

See the underlying future land use category for the most appropriate Village zoning district.

Policies and Programs

See the Natural Resources section of Chapter Two: Agricultural, Natural, and Cultural Resources for policies and programs for this overlay future land use category. In addition, the policies and programs of the underlying future land use category should apply.

Other Land Use Recommendations

Opportunities for Redevelopment

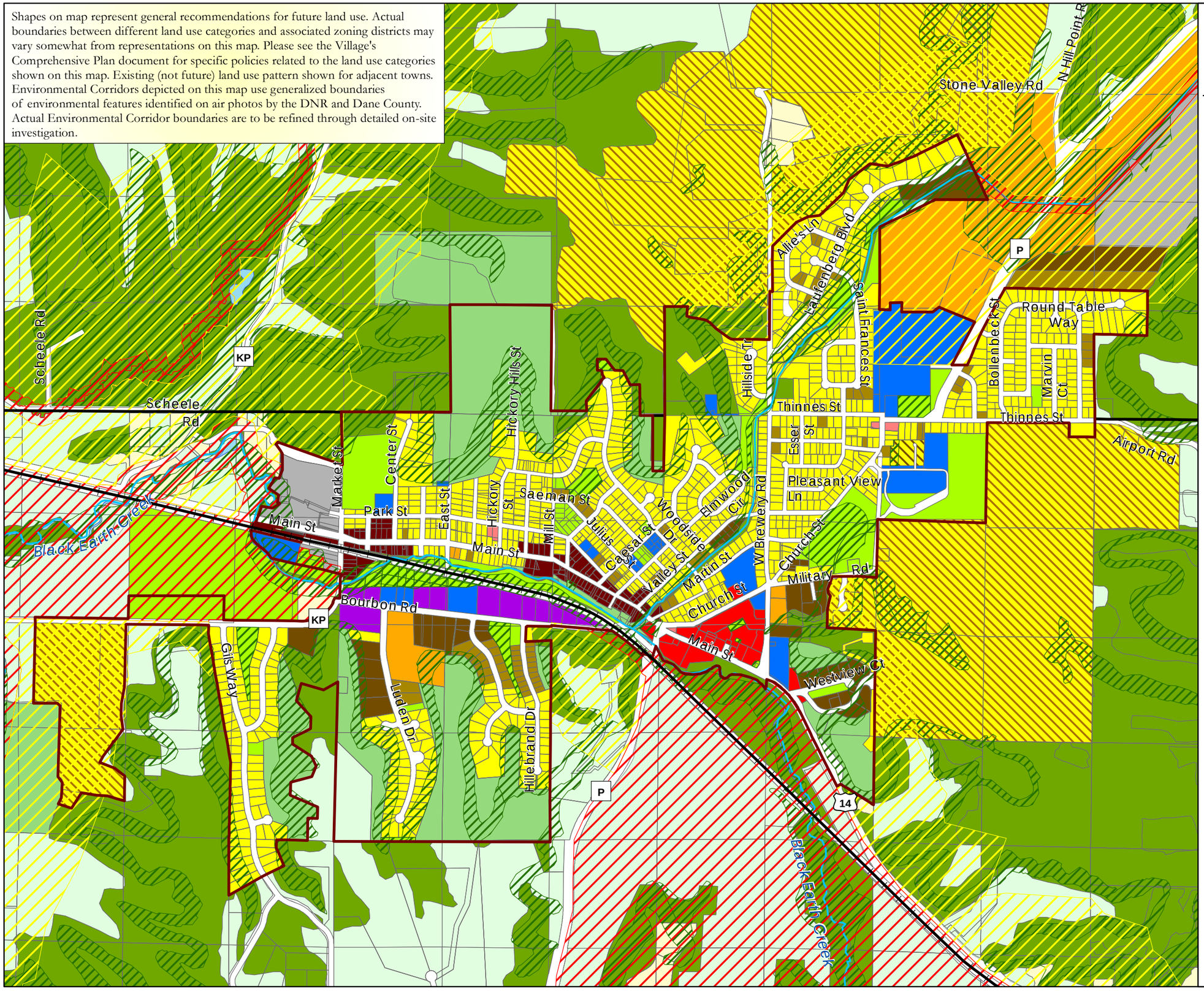
There are several vacant lots and buildings within the Village's downtown area that could be put to better use. One site in particular is a high priority for redevelopment due to its size, location and potential value: the Zander's Creamery. The Creamery was closed in 2004 due to a listeria outbreak and subsequent product recall. Attempts to eliminate the source of contamination proved unsuccessful. A more detailed review of this and other redevelopment opportunities is planned as part of the Downtown BUILD project.

"Smart Growth" Areas

"Smart Growth" Areas are defined by the State of Wisconsin as "areas that will enable the development and redevelopment of lands with existing infrastructure and municipal, State, and utility services, where practical, or that will encourage efficient development patterns that are both contiguous to existing development and at densities which will have relatively low municipal, State governmental, and utility costs."

In Cross Plains, Smart Growth areas are located in two areas along Main Street: from CTH P to Hickory Street and Spring Street to the Village boundary. Redevelopment and infill development in these areas will not only be cost efficient, but it will help the Village enhance its image, character, and non-residential tax and job base.

Shapes on map represent general recommendations for future land use. Actual boundaries between different land use categories and associated zoning districts may vary somewhat from representations on this map. Please see the Village's Comprehensive Plan document for specific policies related to the land use categories shown on this map. Existing (not future) land use pattern shown for adjacent towns. Environmental Corridors depicted on this map use generalized boundaries of environmental features identified on air photos by the DNR and Dane County. Actual Environmental Corridor boundaries are to be refined through detailed on-site investigation.



Village of Cross Plains Comprehensive Plan

Map 4a: Future Land Use-Village View

- Village of Cross Plains Boundary
- Town Boundaries
- Extraterritorial Boundary
- Parcels
- Railroads
- Surface Water

Water Quality Corridors
- Red Zone
- Yellow Zone

- Single Family-Exurban
- Single Family-Urban
- Two-Family/Townhouse
- Mixed Residential
- Planned Neighborhood

1. Single Family-Urban
2. Two-Family/Townhouse
3. Mixed Residential
4. Community Facilities
5. Office/Research
6. Planned Business
7. Parks

- Office/Research
- Neighborhood Business
- Planned Business
- Downtown
- Planned Mixed Use

1. Office/Research
2. Mixed Residential
3. Community Facilities
4. Planned Business

- Light Industrial
- General Industrial
- Community Facilities
- Agriculture/Rural
- Parks
- Conservancy
- Woodlands
- Environmental Corridor

0 500 1,000 2,000 Feet

VANDEWALLE & ASSOCIATES INC.

Adopted: May 19, 2014
Sources: V & A, Dane County LIO

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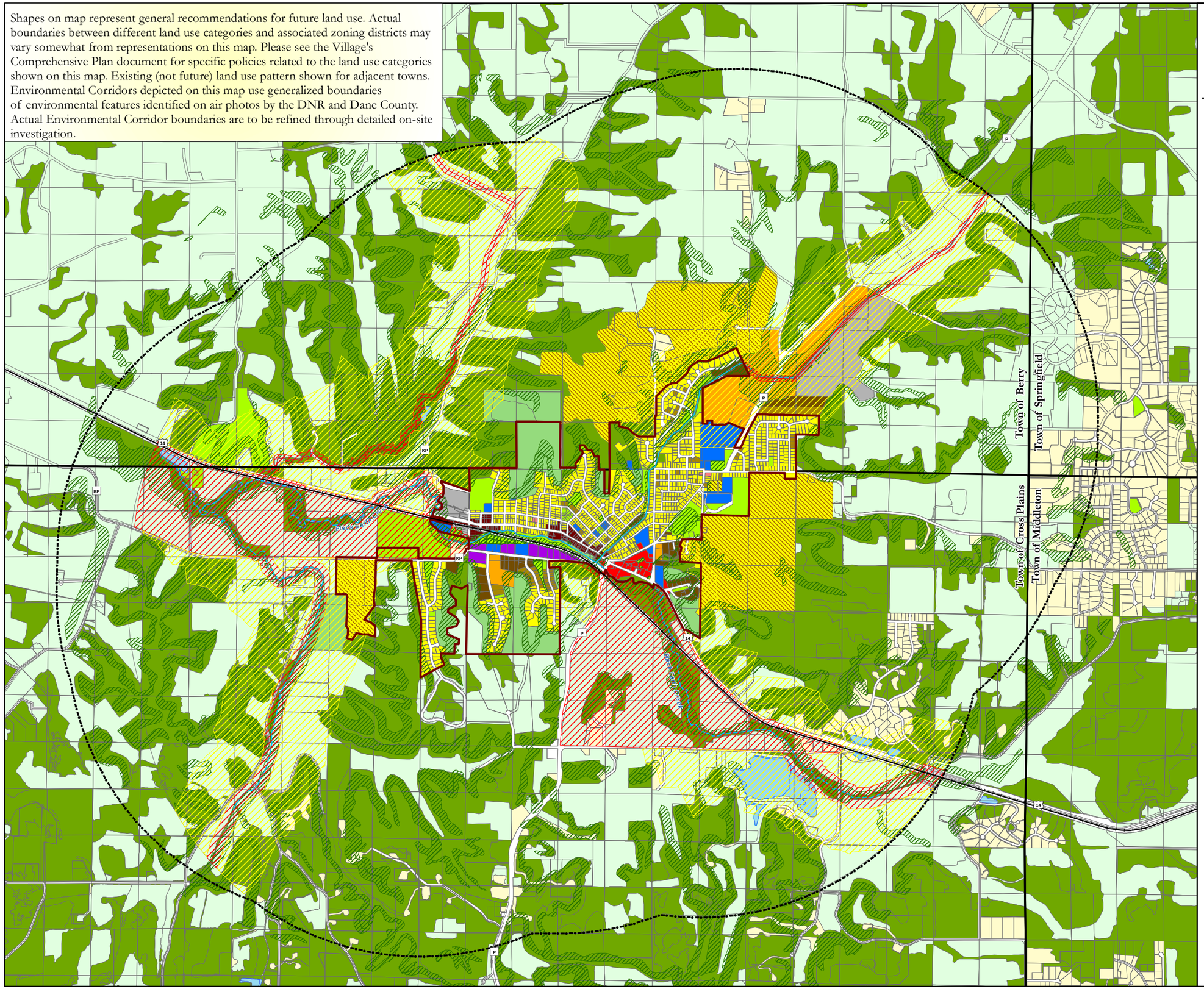
Shapes on map represent general recommendations for future land use. Actual boundaries between different land use categories and associated zoning districts may vary somewhat from representations on this map. Please see the Village's Comprehensive Plan document for specific policies related to the land use categories shown on this map. Existing (not future) land use pattern shown for adjacent towns. Environmental Corridors depicted on this map use generalized boundaries of environmental features identified on air photos by the DNR and Dane County. Actual Environmental Corridor boundaries are to be refined through detailed on-site investigation.



Village of Cross Plains Comprehensive Plan

Map 4b: Future Land Use-ETJ View

- Village of Cross Plains Boundary
- Town Boundaries
- Extraterritorial Boundary
- Parcels
- Railroads
- Surface Water

Water Quality Corridors

- Red Zone
- Yellow Zone

- Single Family-Exurban
- Single Family-Urban
- Two-Family/Townhouse
- Mixed Residential
- Planned Neighborhood

1. Single Family-Urban
2. Two-Family/Townhouse
3. Mixed Residential
4. Community Facilities
5. Office/Research
6. Planned Business
7. Parks

- Office/Research
- Neighborhood Business
- Planned Business
- Downtown
- Planned Mixed Use

1. Office/Research
2. Mixed Residential
3. Community Facilities
4. Planned Business

- Light Industrial
- General Industrial
- Community Facilities
- Agriculture/Rural
- Parks
- Conservancy
- Woodlands/Open Space
- Environmental Corridor

0 1,000 2,000 4,000 Feet

VANDEWALLE & ASSOCIATES INC.

Adopted: May 19, 2014
Sources: V & A, Dane County LIO

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Exhibit I

Village of Cross Plains
PO Box 97, 2417 Brewery Road
Cross Plains, WI 53528
Phone: (608) 798-3241
Fax: (608) 798-3817

Memorandum

To: Sundance Development, LLC
From: Matthew G. Schuenke, Village Administrator/Clerk-Treasurer
Date: January 12, 2016
Re: **Sundance Property** – *Development Timeline*

Executive Summary

The following schedule is established in order to conform to the requirements of Chapter 82 (Annexations) and Chapter 83 (Land Division) as well as meet the Developer's expectations for completing the development review in an efficient manner. There are several phases to this process including (1) Pre-Annexation Agreement; (2) Preliminary Procedures; (3) Development Proposal; (4) Annexation Ordinance; and (5) Land Division. Please see the following regarding the proposed timeline for Development Review to work through these phases as is required.

Phase 1 – Pre-Annexation Agreement (Section 82.05) *COMPLETE*

Phase 2 – Preliminary Procedures (Section 82.03)

There are three items in order to fulfill the requirements of the Preliminary Procedures: (a) Statutory Procedure for Annexation; (b) Development Plan; and (c) Financial Analysis. The first item is addressed by both the Developer and Village based on the property to be annexed, and the third item is a responsibility of the Village. The Developer is solely responsible for preparing the requirements of (1) – (8) in Item (b) as the Development Plan.

- ~~June 2, 2015 – First Staff Meeting to discuss draft Development Plan.~~
- ~~July 7, 2015 – Second Staff Meeting to discuss draft Development Plan.~~
- ~~July 28, 2015 – Third Staff Meeting to discuss draft Development Plan.~~
- ~~July 29, 2015 – Tour of property proposed for annexation.~~
- ~~September 1, 2015 – Fourth Staff Meeting to discuss draft Development Plan.~~
- ~~September 21, 2015 – Kyo and Matt attended Town of Berry Board Meeting to discuss the future use and improvement of Brewery Road.~~
- ~~September 29, 2015 – Meeting between Matt and Kyo to discuss draft Development Plan.~~
- ~~September 30, 2015 – Meeting with Scott Faust (Parcel #0707-031-8503-0, #0807-343-9500-3, and #0807-344-9001-0) to discuss proposed annexation of neighboring property.~~
- ~~October 13, 2015 – Fifth Staff Meeting to discuss draft Development Plan.~~
- ~~November 19, 2015 – Sixth Staff Meeting to discuss draft Development Plan.~~
- ~~December 2, 2015 – Matt and Gary Bewick (3037 Hillside Trail) meet to discuss annexation of neighboring property.~~

- ~~December 9, 2015 – Matt, Kyo, and Ron met to discuss draft Development Plan in relation to the use of property at 3037 Hillside Trail following December 2nd meeting.~~
- ~~December 17, 2015 – Seventh Staff Meeting to discuss draft Development Plan.~~
- ~~December 28, 2015 – Updated site plan for the use of property at 3037 Hillside Trail submitted for Staff Review.~~
- ~~December 29, 2015 – Updated draft of Development Plan submitted for Staff Review.~~
- January 18, 2016 – Final draft of Statutory Procedures letter (Subsection (a)) and Development Plan (Subsection (b)) submitted for Staff Review.
- January 19, 2016 – Village will provide Financial Analysis (Subsection(c)) and review of Annexation Factors (Section 82.03) to Developer and Staff for review. The Financial Analysis will be combined with the Developer submittal to complete the Preliminary Procedures requirements. The review of Annexation Factors will be partnered with the Preliminary Procedures to complete the Development Proposal to be reviewed by all in preparation for final submittal to Plan Commission.
- January 20, 2016 – We will meet at 9:00 am to discuss the Preliminary Procedures (Section 82.03) and Annexation Factors (Section 82.04) as one complete Development Proposal. Comments provided in the meeting will be addressed by the Developer and Village as directed in the discussion.
- January 27, 2016 – Final submittal of the Development Proposal by the Developer and Village as is appropriate and/or necessary. All final revisions and comments from last meeting will have been addressed. Assuming there are no outstanding issues at this point, then the Development Proposal shall move onto the Plan Commission.

Phase 3

(A) Development Proposal – This constitutes the Preliminary Procedures (Section 82.03) and Annexation Factors (Section 82.04) that are to be completed as of January 27, 2016. The Plan Commission will conduct its review of the Proposal and make a recommendation to the Village Board. The Village Board will consider the Plan Commission's recommendation in order to make a determination on the annexation as outlined in the Proposal.

- February 1, 2016 – This will be the first meeting of the Plan Commission to consider a recommendation on the Proposal. All public meetings are held at 7:00 pm unless otherwise stated. There is not a public hearing required at this stage in the process but general public comment should be expected. Given the size of the project, at a minimum two meetings will be scheduled to complete the review.
- March 7, 2016 – This will be the second meeting of the Plan Commission in order to make their recommendation.
- March 28, 2016 – The Village Board will take up the recommendation of the Plan Commission, conduct its review, and take action on the Proposal. If the Proposal is approved, this will serve as the Village Board's determination that the annexation should be approved.

(B) *USA Amendment* – Nearly all of the property proposed for annexation will need to be included as an addition to the existing USA through the prescribed amendment process facilitated through CARPC and authorized by the DNR. Village Staff will hold a preliminary meeting with CARPC and the DNR to generally discuss the project following the Plan Commission's first meeting on the development. Assuming approval of the Development Proposal is granted at the Plan Commission's second meeting in March , the Village will then proceed with a preliminary submittal of a draft application. The following schedule will then be pursued to address the amendment and is subject to change following contact with involved parties:

- February 15, 2016 – Preliminary meeting to discuss proposed project with CARPC and DNR Staff.
- March 15, 2016 – Preliminary Urban Service Area Amendment (USAA) Application submitted by Village to CARPC for initial review.
- April 15, 2016 – Comments/Questions on the USAA Application are returned by CARPC to the Village for follow-up.
- April 30, 2016 – Final USAA Application submitted by Village to CARPC as response to comments/questions.
- May 9, 2016 – Public Hearing notice posted.
- June 1, 2016 – Final CARPC Staff analysis complete.
- June 9, 2016 – Public Hearing and Final Action on Recommendation by CARPC.
- June 17, 2016 – Application materials and CARPC recommendation forwarded to DNR for consideration.
- July 1, 2016 – DNR issues Administrative Decision on USA Amendment.

Phase 4 – Annexation Ordinance (Section 82.07)

The final step in the Annexation process is the consideration for an Annexation Ordinance. The Ordinance will likely include several contingencies before it can be made effective. This is outlined in Section 82.07 with the effectiveness of the annexation code. The petition for annexation will also fall within this phase as it triggers the Village's need to respond with the ordinance all of which is prepared according to the Proposal that will be approved near the outset of this process.

- March 9, 2016 – The Village Attorney will prepare a draft Ordinance for distribution to and consideration by the Developer and Village Staff. The Village Board's acceptance of the Development Proposal shall be its determination that an annexation should be approved in accordance with Statutes. With the Proposal set for consideration on March 28th, this will allow for the board to proceed with the adoption of annexation ordinance with contingencies as follows (details under Land Division Phase):
    - Dedication Requirements – Map used during property acquisition discussion should be acceptable as an exhibit to satisfy this requirement.
    - USA Amendment – Phase 3(B)
    - Preliminary Plat including Zoning Ordinance Approval – Phase 5(A)
    - Final Plat – Phase 5(B)
    - Development Agreement – Phase 5(C)

- March 16, 2016 – Staff Meeting to discuss proposed Ordinance drafted by Village Attorney as needed. Also will provide an opportunity for final issues on the Development Proposal. Assuming there are no outstanding issues with the draft ordinance, then it will go to the next Plan Commission meeting after the Annexation Petition has been filed.
- March 28, 2016 – Village Board approves Development Proposal. Phase 3(A).
- April 1, 2016 – Assuming the Development Proposal has been approved, then the Annexation Petition can be filed at any time. This date represents the last possible date to file in order for the Ordinance to be on the next Plan Commission meeting.
- April 4, 2016 – This will be the first meeting with the Plan Commission regarding the draft Annexation Ordinance with contingencies as previously drafted/discussed by Developer and Village Staff.
- April 25, 2016 – The Village Board will take up the recommendation of the Plan Commission and take action on the Ordinance as presented. The Ordinance will be effective upon the successful completion of all contingencies adopted.

Phase 5 – Land Division (Chapter 83)

In order to complete the various steps remaining following Ordinance approval, it will be necessary to overlap the various reviews to be conducted by Village Staff, Plan Commission, and Village Board. As the Plan Commission and Village Board are working on their review of various issues, the Developer and Staff will be preparing the next item for consideration. Please note the following contingencies required through the Annexation Ordinance:

(A) Preliminary Plat – Requirements defined under Section 83.33-83.41 of the Village Code. This phase of the review will also include approval of an ordinance establishing the zoning for the property.

- March 9, 2016 – First draft of Preliminary Plat submitted for Staff Review. May be incomplete with remainder of the information to be provided with future submittals.
- March 16, 2016 – The first meeting with Village Staff to review the draft Preliminary Plat submitted.
- April 4, 2016 – Second draft of Preliminary Plat submitted for Staff Review.
- April 6, 2016 – The second meeting with Village Staff to review the draft Preliminary Plat submitted.
- May 2, 2016 – Developer will provide final draft of Preliminary Plat to Village for Staff Review.
- May 4, 2016 – The final meeting with Village Staff to review the final draft for the Preliminary Plat. Comments provided in the meeting will be addressed by the Developer as directed by the discussion.
- May 19, 2016 – First run of Class II Notice for February 1st Plan Commission meeting.
- May 25, 2016 – Final submittal of the Preliminary Plat with all final revisions and comments from the last meeting addressed. Assuming there are no outstanding issues at this point, then the Preliminary Plat shall move onto the Plan Commission.
- May 26, 2016 – Second and final run of Class II Notice for February 1st Plan Commission meeting.

- June 6, 2016 – This will be the first meeting of the Plan Commission to consider a recommendation on the Preliminary Plat and ordinance to adopt zoning for the property. Plan Commission will hold a public hearing (Class II Notice), conduct its review, and make a recommendation to the Village Board.
- June 27, 2016 – The Village Board will take up the recommendation of the Plan Commission, conduct its review, & take action on the Preliminary Plat & Zoning Ord.

(B) Final Plat – Requirements defined under Section 83.45-83.52 of the Village Code.

- May 25, 2016 – First draft of Final Plat submitted for Staff Review. May be incomplete with remainder of the information to be provided with future submittals.
- June 1, 2016 – The first meeting with Village Staff to review the draft Final Plat submitted. Also will provide an opportunity for final issues on the Preliminary Plat scheduled for consideration by the Plan Commission on June 6th.
- July 1, 2016 – Developer will provide final draft of Final Plat to Village for Staff Review.
- July 6, 2016 – The final meeting with Village Staff to review the final draft for the Final Plat. Comments provided in the meeting will be addressed by the Developer as directed by the discussion.
- July 22, 2016 – Final submittal of the Final Plat with all revisions and comments from the last meeting addressed. Assuming there are no outstanding issues at this point, then the Final Plat shall move onto the Plan Commission.
- August 1, 2016 – This will be the first meeting of the Plan Commission to consider a recommendation on the Final Plat.
- August 22, 2016 – The Village Board will take up the recommendation of the Plan Commission, conduct its review, and take action on the Final Plat.

(C) Development Agreement (Section 83.11) – This will be prepared by the Village Attorney to memorialize and finalize the approvals for the project overall. Review of this document will likely not need meetings with the entire Village Staff. At a minimum will include Village Administrator, Village Attorney, Developer, and Developer's Attorney. Other individuals can be consulted as needed but this step is typically a formality to put all actions taken on the official record.

- August 1, 2016 – First draft of Development Agreement submitted from Village to Developer for review. A month of lead time is forecasted to review these types of documents, but more can be provided if need be. No other meetings with Staff are projected but can be scheduled upon request by either party.
- September 5, 2016 – This will be the first meeting of the Plan Commission to consider a recommendation on the Development Agreement.
- September 26, 2016 – The Village Board will take up the recommendation of the Plan Commission, conduct its review, and take action on the Development Agreement.

Village will consider combining Final Plat and Development Agreement Phases of the process once the Preliminary Plat has been submitted to Plan Commission (~May 25th).

Village Staff will continue to monitor timeline through the different phases of work and will provide updates at the completion of each milestone. Times and dates are subject to change as needed in order to move the project forward. Please be advised some topics may not be completed in one public meeting (i.e. – Village Board, Plan Commission, etc.) Adjustments may be needed also throughout the process to accommodate the different review authorities in order for them to fulfill their responsibilities.