1. Plan Commission Agenda

Documents:

04.14.2020 - PC AGENDA.PDF

1.I. Plan Commission Agenda Packet

Documents:

04.14.2020 - PC AGENDA PACKET.PDF

# Plan Commission

*Regular Meeting Notice and Agenda*

Village of Cross Plains
Rosemary Garfoot Public Library – Community Room
2107 Julius Street
Cross Plains, WI 53528
(608) 798-3241

## Tuesday, April 14, 2020
## 7:00 pm

I. Call to Order, Roll Call, and Pledge of Allegiance – Plan Commission

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 – Regular Meeting

1. Approval of the minutes from the Plan Commission meeting held March 2, 2020.

2. Public Hearing for a petition for a Conditional Use Permit to Redevelop the Facility Located at 1805 Bourbon Road, Cross Plains, WI for a Multi-Tenant Commercial Use.

3. Discussion and Possible Action regarding the Conditional Use Permit Application to allow for Multi-Tenant Commercial Units at 1805 Bourbon Rd, Cross Plains, WI.

4. Public Hearing for a petition to rezone the property at 1909 Main Street from Main Street Mixed Use to Planned Development.

5. Discussion and possible action regarding the petition to rezone the property at 1909 Main Street from Main Street Mixed Use to Planned Development, specifically regarding the General Development Plan.

6. Discussion and possible action regarding the Specific Implementation Plan for the redevelopment of 1909 Main Street.

7. Review and Possible action regarding the division of Lot #1, C.S.M. #5574, Located in the SE 1/4 of the NE 1/4 of the NE 1/4, Section 3, T07N, R07E, Village of Cross Plains, Dane County, WI (2305 Church Street).

8. Discussion and Possible Action Regarding the Concept Plan and Revised Preliminary Plat for Creek Crossing at St. Francis Residential Subdivision.

## IV. Adjournment

Please note that due to current spacing requirements concerning COVID-19, the facility will have limited seating. The Village of Cross Plains will provide opportunities for, and encourage that the public participate virtually or by calling in. The log in information is as follows:

**WebEx Conference Link:**
https://meetingsamer3.webex.com/meet/bchang

**Conference telephone line:**
+1-408-418-9388
Access Code: 296 035 841 #

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 bchang@cross-plains.wi.us.

# Plan Commission

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2. Public Hearing for a petition for a Conditional Use Permit to Redevelop the Facility Located at 1805 Bourbon Road, Cross Plains, WI for a Multi-Tenant Commercial Use.

3. Discussion and Possible Action regarding the Conditional Use Permit Application to allow for Multi-Tenant Commercial Units at 1805 Bourbon Rd, Cross Plains, WI. PDF 5-26

4. Public Hearing for a petition to rezone the property at 1909 Main Street from Main Street Mixed Use to Planned Development.

5. Discussion and possible action regarding the petition to rezone the property at 1909 Main Street from Main Street Mixed Use to Planned Development, specifically regarding the General Development Plan. PDF 27-51

6. Discussion and possible action regarding the Specific Implementation Plan for the redevelopment of 1909 Main Street.

7. Review and Possible action regarding the division of Lot #1, C.S.M. #5574, Located in the SE 1/4 of the NE 1/4 of the NE 1/4, Section 3, T07N, R07E, Village of Cross Plains, Dane County, WI (2305 Church Street). PDF 52-59

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# Plan Commission

*Regular Meeting Minutes*

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

## Monday, March 2, 2020
## 7:00 pm

**I. Call to Order, Roll Call – Plan Commission**

President Lengfeld called the Regular Plan Commission meeting to order at 7:00 pm.

Present: Commissioners Todd DuQuette, Randy Case, Kevin Thusius, Cliff Zander, Judy Ketelboeter and President Jay Lengfeld.

Absent: Commissioner Eric Padrutt

Also present: Village Administrator/Clerk Bill Chang, Public Facilities Director Jerry Gray, Planner Mike Slavney, John Brooks, Dale and Katy Ripp, Seth Johnson, Pam Born, Renee Estabrook, Trent Estabrook, and Michael Pomykalski.

II. **Public Comment** - None

**III. General Business – Regular Meeting**

1) **Discussion and action regarding minutes of the regular meeting held January 6, 2020.**
A motion was made by Trustee Ketelboeter, seconded by Commissioner Case, and unanimously carried by the Plan Commission, to approve the January 6, 2020 meeting minutes.

2) **Public Hearing regarding a request for a conditional use permit to construct an addition to Park Elementary School located at 1209 Park Street, Cross Plains, WI.**
A motion was made by Commissioner DuQuette, seconded by Commissioner Zander, and unanimously carried by the Plan Commission, to open the public hearing.

After presentation and hearing no comment, a motion was made by Commissioner DuQuette, seconded by Commissioner Zander, and unanimously carried by the Plan Commission, to close the public hearing.

3) **Accept and recommend the request for a conditional use permit to construct and addition to Park Elementary School located at 1209 Park Street, Cross Plains, WI to the Village Board.**
A motion was made by Commissioner Case and seconded by Trustee Thusius, to accept and recommend the request for a conditional use permit to construct and addition to Park Elementary school located at 1209 Park Street, Cross Plains, Wi to the Village Board with the presented conditions, including a minor amendment to the environmental corridor and site plan. Roll call vote requested. YES – Commissioners Padrutt, Case, Thusius, Zander, Ketelboeter and President Lengfeld. NO – None. Motion carries 6-0.

4) **Review and possible action regarding the concept plan of the general development plan for 1909 Main Street.**
A motion was made by Trustee Ketelboeter, seconded by Trustee Thusius, and unanimously carried by the Plan Commission, to approve the concept plan for 1909 Main Street and recommend that the applicant move forward to submitting the General Development Plan.

5) **Review and possible action regarding the concept plan of the general development plan and revised plat map for Creek Crossing at St. Francis.**
After review of the concept plan for the planned residential development section of the plat, it was requested by the Plan Commission for Ron Klaas to conduct a traffic study and report at a future meeting.

V. **Adjournment**

A motion was made by Commissioner DuQuette, seconded by Commissioner Zander, and unanimously carried Plan Commission to adjourn at 8:38 pm.

Proper notice of this meeting was given to the public and posted on the public bulletin boards in accordance with the Open Meeting Law.

Respectfully submitted,

_____

Bill Chang
Village Administrator/Clerk

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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: Bill Chang, Village Administrator/Clerk
Date: April 9, 2020
Re: **Conditional Use Permit for 1805 Bourbon Road**

**Executive Summary**

Mike and Kelly Endres hold an accepted offer for the building at 1805 Bourbon Road. The offer is contingent on receiving a conditional use permit approval by the Village of Cross Plains. The Endres plan to redevelop the existing building to a multi-tenant commercial building which will include commercial offices on the first floor and possibly a day care on the lower floor after June 1, 2021.

In addition to separating the upstairs interior into multiple offices, the owners will also update the exterior by replacing the roof and siding, and adding a brick veneer front to the building.

It is staff's understanding that, the current use as a daycare will not cease immediately.

**Project Background**

The property is zoned as commercial mixed use and currently used as a daycare facility run by Little Cardinals. The property file shows a conditional use permit application filed in 1996 to use the property for child care. However, the property file did not have a copy of the conditional use permit. There was a subsequent approved building permit and plans for the current facility. Nothing in the file shows that the property was used for anything other than for childcare purposes since 1996.

A review of the parcel does show the northern half of the property is in the environmental corridor. Staff has reached out CARPC to see if this section of the corridor can be administratively amended. CARPC has responded that they will need to look at this in more detail.

**Code Review**

*Section 84.35 (CMU) Community Mixed Use*

The current building and zoning classification are sufficient for the intent use of the building as a multi-tenant commercial facility for offices. Due to space, density, and parking requirements, the Plan Commission should consider other types of uses it may allow as tenants.

*Section 84.52 Regulation Applicable to All Land Uses*

Subsection 84.52(j) regulates the number of uses in one non-residential building by conditional use permit.

*Potential use of lower floor as a daycare*
Owners are exploring the option to have a smaller daycare in the lower lever after June 2021. Mike Slavney, the Village's Planner reports that if 365 days have not elapsed since the closure of the current daycare center, this project would only require Site Plan review. If the sunset period has exceeded 365 days, or if the daycare was limited to the previous operator, then the required Site Plan approval would be part of a new Conditional Use approval. The Plan Commission can choose to decide this now or decide it at a later time when plan is more concrete.

*Section 84.58 Commercial Land Uses*
Subsection 84.58(a) requires that indoor offices and personal or professional service land uses generally require one parking space per 300 square feet. The current property has 21 parking spaces, which is sufficient for the upstairs office units. More parking spaces would be required should the owners wish to utilize the downstairs. Additional parking spaces requests should be considered with the limited developable space on the property.

*Section 84.161 Conditional Use Permit Procedures.*
The code specifies the process and procedure for the Conditional Use Permit. The Village Administrator/Clerk's review of each application as it corresponds to Section 84.161 (e) (3) is provided below.

- Review of Comprehensive Plan – The Village of Cross Plains Comprehensive addresses office land use policy in Chapter 3. The plan specifically addresses the importance of the use of high-quality building materials and landscaping. Furthermore, the plans' economic development section first objective is to retain and expand existing commercial establishments in the Village. This project, would fulfill that need.

- Impact on neighbors – The site location is inline with other professional offices and businesses on adjoining properties. The proposed change in use will have minimal direct impact on neighbors except for times during the construction phase.

- Land use observation – the land use change is not averse to the surrounding properties land use. Properties are able to maintain the desired consistency of land uses and intensities.

- Service and undue burden assessment – The facility will utilize the same utility services.

- Public benefits vs. adverse impacts– the public benefits of the addition outweigh the adverse impacts.

- The public hearing notice was posted in the Middleton Times Tribune and notices were sent to all adjoining properties within 100 feet and municipalities within 1000 ft per Chapter 84.158. There have been no objections.

**Recommendation**

Village Staff recommends acceptance of the application with a recommendation to the Village Board for approval with the following minimal conditions:

1) Review and amend the environmental corridor if the owner is considering more parking on northern half of the lot.
2) Restrict the type of tenants for offices to those commercial uses similar to the current parking restrictions (i.e. 1 parking stall per 300 sq ft, see 84.58)
3) Site plan review and approval required for improved use of lower level.
4) This conditional use permit shall supersede any previous permits.
5) Owner shall comply with lighting and signage regulation or bring into compliance.
6) The Plan Commission will need to decide when it will go into effect and if there will be a deadline, dependent on the owner's intent to operate.

**SECTION 84.35 (CMU) Community Mixed Use Zoning District.**

(a) **Intent.** This district intends to permit a wide range of large and small scale office, retail, service, and lodging uses that are compatible with the desired community character.

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

(1) Mixed Use Building Residential Use
(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(i)
(9) Office
(10) Personal or Professional Service
(11) Indoor Sales or Service
(12) Artisan Production Shop
(13) Indoor Maintenance Service

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

(1) Single Family
(2) Two Flat
(3) Cultivation
(4) Clear Cutting
(5) Market Garden
(6) Indoor Institutional
(7) Community Living Arrangement (9-15 residents) meeting the requirements of Section 84.57(i)
(8) Community Living Arrangement (16+ residents) meeting the requirements of Section 84.57(j)
(9) Institutional Residential
(10) Outdoor Display
(1) Physical Activity Studio
(12) Indoor Commercial Entertainment
(13) Outdoor Commercial Entertainment
(14) In-Vehicle Sales and Service
(15) Group Daycare Center
(16) Commercial Animal Boarding/Daycare
(17) Bed and Breakfast
(18) Vacation Rental Home

(19) Commercial Indoor Lodging
(20) Boarding House
(21) Vehicle Sales
(22) Vehicle Service
(23) Vehicle Repair
(24) Intensive Outdoor Activity
(25) Transit Center
(26) Off-Site Parking
(27) Large Wind Energy System
(28) 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) Landscape Feature
(7) Recreational Facility
(8) Residential Kennel
(9) On-Site Parking
(10) Company Cafeteria
(11) Incidental Outdoor Display
(12) Incidental Indoor Sales
(13) Incidental Light Industrial
(14) Satellite Dish
(15) Personal Antenna and Towers
(16) Communication Antenna

(e) **Accessory Uses Permitted as Conditional Use.** Refer to Article III for detailed definitions and requirements.
(1) Accessory Dwelling Unit
(2) Small Wind Energy System
(3) 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 Sales
(2) Temporary Outdoor Assembly
(3) Temporary Shelter Structure
(4) Temporary Storage Container
(5) Temporary On-Site Construction Storage
(6) Temporary Contractor's Project Office
(7) Temporary On-Site Real Estate Sales Office

(8) Temporary Relocatable Building
(9) Garage or Estate Sale
(10) Farmer's Market (requires conditional use permit)

(g) **Density, Intensity, and Bulk Regulations for the (CMU) Community Mixed Use District.**

| | Residential Uses | Nonresidential Uses |
|---|---|---|
| Minimum Lot Area | 9,600 square feet | 9,600 square feet |
| Maximum Density | 8 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 | 30 percent | 30 percent |
| Minimum Lot Width (per building, not unit) | 80 feet | 80 feet |
| Minimum Front Setback | 25 feet | 25 feet |
| Minimum Street Side Setback | 25 feet | 25 feet |
| Minimum Side Setback | 10 feet | 10 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 | 20 feet |
| Minimum Pavement Setback (lot line to pavement; excludes driveway entrances) | 3 feet from side or rear, or 0 feet for shared driveway; 10 feet from right of way | 3 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 | 3 feet | 10 feet |
| Accessory Building Rear Setback | 3 feet | 10 feet |
| Maximum Accessory Building Height | Lesser of 20 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

(c) **Accessory Land Uses.** Accessory land uses are allowed subject to all the requirements and exceptions applicable to principal land uses permitted by right as listed in Subsection (a), above. Accessory land uses allowed only with a conditional use permit are subject to all the requirements and exceptions applicable to principal land uses requiring a conditional use permit as listed in Subsection (b), above. Accessory land uses shall also comply with the following listed regulations.

(1) No accessory structure or use shall be constructed on any lot prior to the establishment of an allowable principal use, unless otherwise stated in this Chapter.

(2) Accessory land uses shall not be located between a principal building and a street frontage on the same lot, nor within any required front yard.

(3) With the exception of an in-home suite or Accessory Dwelling Units, in no instance shall an accessory structure, cellar, basement, tent, or recreational trailer be used as a residence.

(d) **Temporary Land Uses.** Temporary land uses permitted by right (designated by the letter "P" in the Table of Land Uses in Section 84.54) are permitted on a temporary basis subject to permitting requirements of Section 84.162 of this Chapter. Temporary land uses permitted only with a conditional use permit (designated by the letter "C" in the Table of Land Uses) may be permitted subject to temporary use and conditional use permitting requirements of Sections 84.162 and 84.161.

## SECTION 84.52 Regulation Applicable to All Land Uses.

All uses of land initiated within the jurisdiction of this Chapter on, or following, the effective date of this Chapter shall comply with all of the provisions of this Chapter.

(a) **Land Use Regulations and Requirements.** All uses of land shall comply with all the regulations and requirements of this Chapter. Such regulations directly relate to the protection of the health, safety, and general welfare of the residents of the Village of Cross Plains.

(b) **Density, Intensity, and Bulk Regulations and Requirements.** All development and use of land shall comply with all the applicable requirements of Articles II and IV of this Chapter.

(c) **Overlay Zoning District Requirements.** All land use and/or development of land shall comply with all the regulations and requirements any applicable Overlay Zoning District (see Article VI).

(d) **Exterior Site and Building Design Standards.** All new, remodeled, and expanded residential and nonresidential development shall comply with the all applicable building and site design guidelines as required in Section 84.101 of this Chapter.

(e) **Performance Standards.** All development of land shall comply with all applicable requirements established in Article VII.

(f) **Landscaping Regulations.** All development of land shall comply with all the regulations and requirements of Article VIII pertaining to the provision of

landscaping and bufferyards. Such requirements address issues such as minimum required landscaping of developed land and minimum required bufferyards between adjoining zoning districts which are directly related to the effective bulk of a structure.

(g) **Signage Regulations.** All land use and/or development of land shall comply with all requirements of Chapter 87, pertaining to the type and amount of signage permitted on property. Such requirements address issues such as the maximum area of permitted signage and the number and types of permitted signage.

(h) **Number of Buildings per Lot.** Only one principal building shall be permitted on any one lot, with the following exceptions:

(1) Group Developments (per Section 84.118)
(2) Large Developments (per Section 84.118)
(3) Planned Developments (per Section 84.167)
(4) Temporary buildings
(5) Mobile home parks

(i) **Mixing Residential and Nonresidential Uses in a Building.** With the exception of Mixed Use Building Residential Uses, Accessory Dwelling Units, and Home Occupations, no building containing a nonresidential land use shall contain a residential land use.

(j) **Number of Land Uses per Building.** No more than one nonresidential land use shall be permitted in any building with the following exception: multiple permitted by right land uses are allowed in a multi-business building and only require a land use permit (Section 84.163) to confirm the proposed tenants are permitted by right. Examples include a multi-tenant office building; a strip mall; an antique mall; a downtown building mixing office, personal or professional services, and indoor sales and service land uses; co-working space; and other arrangements with multiple permitted uses in one or more occupied spaces. A land use which is regulated as a conditional use may only occupy multi-tenant buildings as approved through the conditional use process (Section 84.161) or a successor conditional use.



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**SECTION 84.58 Commercial Land Uses.**

(a) **Office.** Indoor Offices where the primary function is the handling of information or administrative services. Office uses do not typically provide services directly to customers on a walk-in basis.

Regulations:

(1) Minimum required parking: One space per 300 square feet of gross floor area.

(b) **Personal or Professional Service.** Indoor service land uses where the primary function is the provision of services directly to an individual on a walk-in or on-appointment basis. Examples of such uses include establishments where customers make an appointment, such as professional services, insurance or financial services, realty offices, small scale by-appointment medical offices and clinics, veterinary clinics, barber shops, beauty shops, and related land uses including ancillary on site production of items used in the provision of such services.

Regulations:

(1) Minimum required parking: Generally, one space per 300 square feet of gross floor area.

(c) **Indoor Sales or Service.** The sale and/or display of merchandise or equipment or non-personal or non-professional services, entirely within an enclosed building. Includes general merchandise stores, grocery stores, butcher, sporting goods stores, antique stores, gift shops, laundromats, bakeries, and a number of other uses meeting this definition.

Regulations:

(1) Minimum required parking: One space per 300 square feet of gross floor area.

**SECTION 84.161 Conditional Use Permit Procedures.**

(a) **Purpose.** The purpose of this Section is to provide regulations which govern the procedure and requirements for the review and approval, or denial, of proposed conditional uses.

(b) **Applicability.** There are certain uses, which because of their unique characteristics make impractical the predetermination of permissibility. In these cases, specific standards, regulations, or conditions may be established.

(c) **Initiation of Request.** Proceedings for approval of a conditional use may be initiated by an application of the owner(s) of the subject property.

(d) **Application.** An application for a conditional use permit shall contain the following (digital files should be submitted rather than paper copies whenever possible, if applicable):

(1) A map of the subject property to scale depicting:

a. All lands for which the conditional use is proposed and all other lands within 100 feet of the boundaries of the subject property.

b. Names and addresses of the owners of all lands on said map as the same appear on the current records of the Register of Deeds of Dane County.

c. Current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control.

d. All lot dimensions of the subject property.

e. A graphic scale and a north arrow.

(2) Written description of the proposed conditional use including the type of activities, buildings, structures, and off-street parking proposed for the subject property and their general locations.

(3) A site plan of the subject property if proposed for development conforming to all requirements of Section 84.164. If the proposed conditional use is a group or large development (per Section 84.118), a proposed preliminary plat or conceptual plat may be substituted for the required site plan, provided said plat contains all information required on said site plan.

(4) Written justification for the proposed conditional use, including evidence that the application is consistent with the Comprehensive Plan.

(5) For Group and Large Development, a Transportation Demand Management (TDM) Plan meeting Wisconsin Department of Transportation requirements for content and format may be required by the Village if deemed necessary by the Village Engineer.

(e) **Review by Zoning Administrator.**

(1) The Zoning Administrator shall determine whether the application is complete and fulfills the requirements of this Chapter. If the application is determined to be incomplete, the Zoning Administrator shall notify the applicant.

(2) The Zoning Administrator may coordinate review with the Village's Development Review Team.

(3) The Zoning Administrator shall review the completed application and evaluate whether the proposed conditional use:

a. Is in harmony with the recommendations of the Comprehensive Plan.

b. Will result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future.

c. Maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

d. The conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.

e. The potential public benefits outweigh any and all potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.

(4) The Zoning Administrator shall prepare a written report addressing items (e)(3)a.-e. above, to be forwarded to the Plan Commission for the Commission's review and use in making its recommendation to the Village Board. If the Zoning Administrator determines that the proposal may be in conflict with the provisions of the Comprehensive Plan, the Zoning Administrator shall note this determination in the report.

(f) **Public Hearing.** Within 50 days of filing of a complete application, the Plan Commission shall hold a public hearing in compliance with Section 84.158 to consider the request.

(g) **Review and Recommendation by the Plan Commission.**

(1) Within 60 days after the public hearing, the Plan Commission may make a written report to the Village Board, and/or may state in the minutes its recommendations regarding the application. Said report and/or minutes may include a formal finding of facts developed and approved by the Plan Commission concerning the requirements of Subsection (e)(3)a.-e. above.

(2) If the Plan Commission fails to make a recommendation within 60 days after the public hearing, the Village Board may hold a public hearing within 30 days after the expiration of said 60 day period. Failure to receive a recommendation from the Plan Commission shall not invalidate the proceedings or actions of the Village Board. If a public hearing is necessary, the Village Board shall provide notice per the requirements so Section 84.158.

(h) **Review and Action by Village Board.**

(1) The Village Board shall consider the recommendation of the Plan Commission regarding the proposed conditional use. The Village Board may request further information and/or additional reports from the Plan Commission, Zoning Administrator, applicant, and/or from any other source.

(2) The Village Board may take final action (by resolution) on the application at the time of its initial meeting or may continue the proceedings at applicant's request. The Village Board may approve the conditional use as originally proposed, may approve the proposed conditional use with modifications, or may deny approval of the proposed conditional use.

(3) If the Village Board wishes to make significant changes in the proposed conditional use, as recommended by the Plan Commission, then the procedure set forth in Section 62.23(7)(d) of the Wisconsin Statutes shall be followed prior to Village Board action.

(i) **Effect of Denial.** No application which has been denied (either wholly or in part) shall be resubmitted for a period of 12 months from the date of said order of denial, except on grounds of new evidence or proof of change of factors found valid by the Zoning Administrator.

(j) **Revocation of an Approved Conditional Use.** Upon approval by the Village Board, the applicant must demonstrate that the proposed conditional use meets all general and specific conditional use requirements in the site plan required for initiation of development activity on the subject property per Section 84.164. Once a conditional use is granted, no erosion control permit, site plan, certificate of occupancy, or building permit shall be issued for any development which does not comply with all requirements of this Chapter. Any conditional use found not to be in compliance with the terms of this Chapter shall be considered in violation of this Chapter and shall be subject to all applicable procedures and penalties. A conditional use may be revoked for such a violation by majority vote of the Village Board, following the procedures outlined in Subsection (i), above.

(k) **Time Limits on the Development of Conditional Use.** Unless extended as a condition of approval, the start of construction of any and all conditional uses shall be initiated within 365 days of its approval by the Village Board and shall be operational within 730 days of said approval. Failure to initiate development within this period shall automatically constitute a revocation of the conditional use. For the purposes of this Section, "operational" shall be defined as the granting of a certificate of occupancy for the conditional use. Prior to such a revocation, the applicant may request an extension of this period. Said request shall require formal approval by the Village Board and shall be based upon a showing of acceptable justification (as determined by the Village Board). However, as a condition of approval, the 365 and/or 730 day time limits may be extended for any specific period including not time limit to accommodate phased or multi-stage development.

(l) **Discontinuing an Approved Conditional Use.** Any and all conditional uses which have been discontinued for a period exceeding 365 days shall have their conditional use invalidated automatically. The burden of proof shall be on the property owner to conclusively demonstrate that the subject conditional use was operational during this period.

(m) **Change of Ownership.** All requirements of the approved conditional use shall be continued regardless of ownership of the subject property; however, submittal of a plan of operation may be required prior to the change in ownership.

(n) **Modification, Alteration, or Expansion.** Modification, alteration, or expansion of any conditional use without approval by the Village Board, shall be considered in violation of this Chapter and shall be grounds for revocation of said conditional use approval per Subsection (j), above. A modification, alteration, or expansion which has been approved as part of a prior valid condition use does not require a new conditional use approval.

(o) **Recording of Conditional Use Requirements.** Except for conditional use approvals for temporary uses, a certified copy of the authorizing resolution, containing identifiable description and any specific requirements of approval, shall be recorded by the Village, at the applicant's expense, with the Register of Deeds for the subject property.

(p) **Formerly Approved Conditional Uses.** A use now regulated as a conditional use which was approved as a legal land use, either permitted by right or as a conditional use, prior to the effective date of this Chapter, shall be considered as a legal, conforming land use so long as the previously approved conditions of use and previously approved site plan are followed. Any modification of the previously approved conditions of use or site plan shall require application and Village consideration under this Section.

(q) **Limited Conditional Uses.** A limited conditional use is any development, activity or operation for which a conditional use permit has been approved that is limited to a specific operator or property owner, or to a specific date or event upon which the conditional use permit either expires or is required to be reviewed and reapproved. The Plan Commission may recommend, and the Village Board may designate, any proposed conditional use request as a limited conditional use. The Plan Commission shall specify which of the following characteristics are present that create the need for the limited conditional use:

(1) A particular aspect of the specific land use.
(2) A particular aspect of the proposed operation (including, but not limited to, operating hours).
(3) A particular aspect of the proposed location.
(4) A particular aspect of the proposed site design.
(5) A particular aspect of the adjacent property or of the surrounding environs.
(6) Any other reason(s) the Village Board deems specially relevant and material.

(r) **Successor Conditional Uses.**

(1) **Definition.** A successor conditional use is a land use which has been granted a conditional use permit by the Village, which is proposed to undergo one or more of the following:

a. Changing from the specific use originally permitted by conditional use to another operation of the same use. (For example, changing from one restaurant to another is permitted. However, changing from a restaurant to a tavern is not permitted even though both are considered Indoor Commercial Entertainment land uses under Section 84.58(d). Likewise, changing from a drive-through restaurant to a drive-through bank is not permitted, even though both are considered In-Vehicle Sales and Service under Section 84.58(i).

b. Only a change in the ownership of the subject property.

c. Only a change in the ownership of the business or other operator of the land use.

d. Other changes explicitly identified in a currently valid conditional use permit which are identified as acceptable as a successor conditional use.

(2) **Purpose.** The purpose of these provisions is to create a process which:

a. Verifies that the proposed change is a valid successor conditional use.

b. Creates a record that the proposed change is recognized by the Village as a successor conditional use.

c. Clarifies that the same conditions of approval, development and operation continue to apply to a successor conditional use.

d. Reduces the costs and time needed to approve a successor conditional use;

(3) **Approval Process.** A successor conditional use shall not require the granting of a new conditional use permit by the Village. However, prior to operation, a successor conditional use shall require the formal reaffirmation of its status as a valid successor conditional use. This required formal reaffirmation shall be issued in writing by the Village Zoning Administrator, or by the designee of the Village Zoning Administrator.

(4) **Proposed Expansions are Not Eligible.** Any physical enlargement of a previously approved conditional use in terms of buildings, structures, activity areas, and/or any expansion of the conditions of operation, beyond the limits of site plans, floor plans and conditions of operation approved through the conditional use process, shall not be eligible for treatment as a successor conditional use, and must seek an amendment to its conditional use permit through the conditional use process.

(5) **Ineligible Land Uses.** The following land uses are not eligible for treatment as a successor conditional use, and shall require approval of a new limited conditional use permit which is specific to both the business owner and to the property owner:

a. Intermediate Home Day Care (9-15 children) land uses in residential zoning districts.

b. Bed and Breakfast land uses in residential zoning districts.

# Dane County Environmental Corridors and Sewer Service Area Boundaries

**Environmental Corridor**

**Sewer Service Area**

Dane County Environmental Corridors and Sewer Service Area Boundaries

60ft

Maxar | Esri Community Maps Contributors, County of Dane, BuildingFootprintUSA, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Plans for 1805 Bourbon Rd- Cross Plains

Mike & Kelly Endres are looking to purchase the building and turn the building into a business professional building. On the main level, Endres Insurance Agency, Inc would occupy the yellow highlighted area. The green and pink highlighted areas would be rented out to tenants such as an accountants, investment/financial planning, attorney or office exposure tenants.

The building would need little interior improvements to convert the building from a daycare to the office settings. The open space on the first floor would act as a waiting room/receptionist area. Number of occupants on the first floor would range from 15-20 people at one time, this would include customers coming and going. At this time there are 21 parking stalls at the premises.

Mike & Kelly would like to ask for permission to turn the playground area behind the building into additional parking. The entrance to the lower parking area would be run to the west of the building. An additional 15-20 parking stalls would fit behind the building.

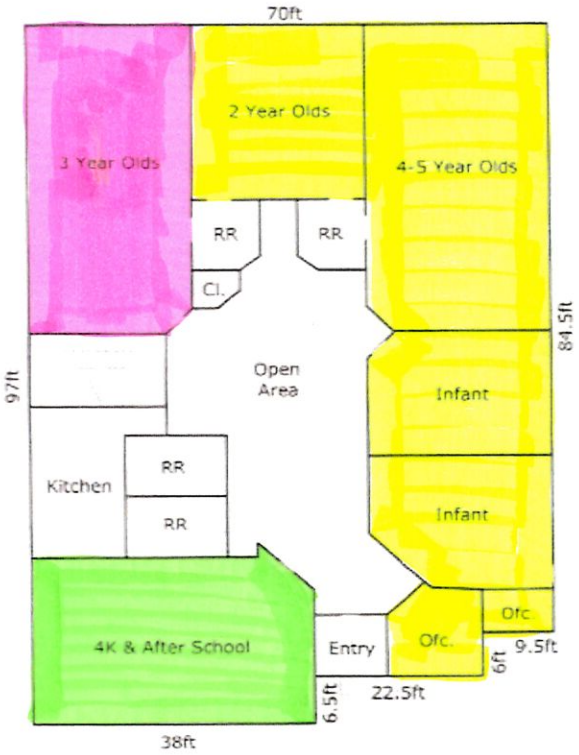
At this point there would not be much use for the lower level of the building. If additional parking was granted the building could be remodeled to incorporate more businesses with similar occupancies as listed above. There would be a possibility to rent the space to a business to run a yoga studio or karate studio as well.

If Mike & Kelly purchased the building, they would like to enhance the look of the exterior. They would replace the roof, replace the siding and add a brick veneer front to the building. Appearance would be important to future tenants, and thus improvements would need to be made.

Please feel free to contact Mike Endres at 608-798-6311 or my cell phone 608-513-7730. My email address is mendres@endresinsurance.net

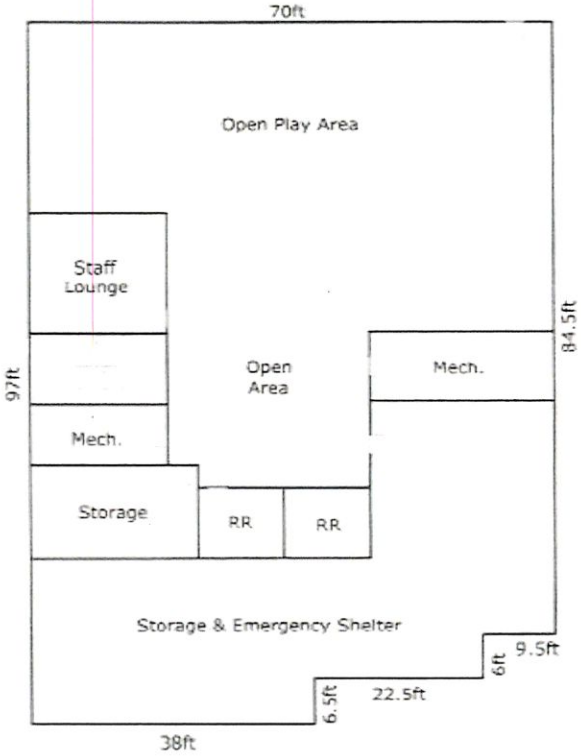
# Floor Plans

**First Floor Plan**




**First Floor**
[6525 Sq ft]

**Basement Floor Plan**




**Basement**
[6525 Sq ft]

- Endres Insurance Agency
- Tenant - Possibly Accounting firm, Financial Planning/Investment
- Tenant - Same as pink above - All office setting

KEYCOMMERCIAL
REAL ESTATE, LLC



The information presented herein is based on estimates and assumptions and is presented for illustration purposes only. No representations, warranties or guarantees of any kind are made.

# Site

**THE DAY CARE:**

- The current license is for 111 children, serving ages 6 weeks through 10 years
- Only one other known daycare in the community

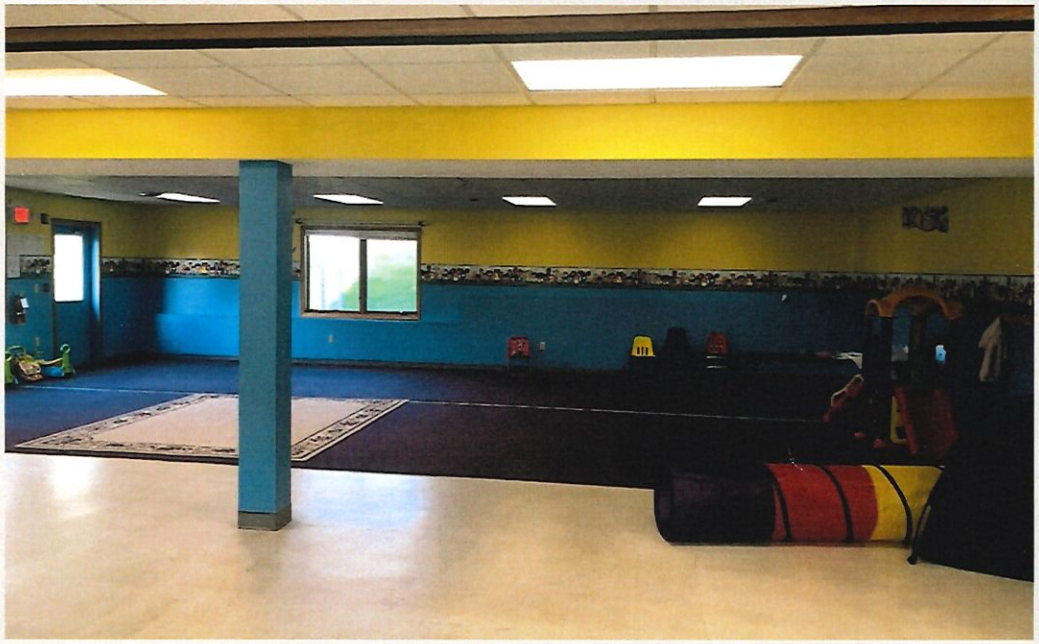
**BUILDING HIGHLIGHTS:**

- Wood frame structure
- Poured concrete foundation and poured concrete slab
- Walk-out to the backyard from the lower level
- Hip-tip roof with three tab shingles over OSB or plywood sheathing
- Two skylights in the center of the building
- Roof is original construction
- Electrical: 400 amp main
- HVAC: forced air with 3 gas fired furnaces and 3 electric central air conditioners

KEYCOMMERCIAL
REAL ESTATE, LLC


The information presented herein is based on estimates and assumptions and is presented for illustration purposes only. No representations, warranties or guarantees of any kind are made.

# Pictures



The information presented herein is based on estimates and assumptions and is presented for illustration purposes only. No representations, warranties or guarantees of any kind are made.

**From:** Mike Endres
**To:** Bill Chang
**Subject:** RE: 1805 Bourbon Rd- Accepted Offer
**Date:** Thursday, April 2, 2020 11:31:52 AM

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Please send it to 8631 Hornung Rd Sauk City, WI 53583.

We might have the potential of the daycare wanting to move to the bottom of the building after June 1st 2021. What would need to happen to apply for the conditional use for this as well? The daycare would be about half the size it is now, so about 50 kids and about 8 teachers. Therefore, for parking that would leave 13 parking places for the upstairs. We only have 6 employees and then my wife and I. If I rented out space I would guess each renter would need 3 spaces.

Therefore for the upstairs we would occupy 13 spaces. If the daycare was in the basement, we would not do additional parking behind the building as that would stay a play area.

We could however add parking on the west side of the building. I would think we could add 10 spaces angle parked on the west side. Therefore giving us around 30 total spaces. Not to mention Bourbon Rd as overflow if it was ever needed. I don't see why it ever would however.

Let me know if I need to send in anything else. My plan for the main level of the building has not changed. It would be Endres Insurnce Agency and then two other office suites. The suites would be rented out to someone like a financial planner, attorney or an accountant.

Thank you for all your work!

Mike Endres
President/Owner
Endres Insurance Agency, Inc.
608-798-6311

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**From:** Bill Chang <bchang@cross-plains.wi.us>
**Sent:** Thursday, April 02, 2020 10:37 AM
**To:** Mike Endres <mendres@endresinsurance.net>
**Subject:** RE: 1805 Bourbon Rd- Accepted Offer

Mike,

I need to mail an official notice to you. Which address do you prefer?

Bill Chang
Village Administrator/Clerk

***Alert to Cross Plains Elected Officials and Members of Village Committees, Boards, Commission and Task Forces: In order to comply with the Open Meetings Act requirements, please limit any reply to only the sender of this electronic communication.***

PDF24

**From:** Mike Endres <mendres@endresinsurance.net>
**Sent:** Monday, March 30, 2020 9:58 PM
**To:** Bill Chang <bchang@cross-plains.wi.us>
**Subject:** RE: 1805 Bourbon Rd- Accepted Offer

Thank you for keeping me posted. I had the inspection, and have a few items to look into, so I appreciate the follow up.

Mike Endres
President/Owner
Endres Insurance Agency, Inc.
608-798-6311

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**From:** Bill Chang <bchang@cross-plains.wi.us>
**Sent:** Monday, March 30, 2020 11:45 AM
**To:** Mike Endres <mendres@endresinsurance.net>
**Subject:** RE: 1805 Bourbon Rd- Accepted Offer

Mike,

I wanted to let you know that I have you scheduled for a public hearing for the conditional use permit application to the Plan Commission on April 14th at 7:00pm. Once approved by the Plan Commission, it will need to go to the Village Board for final approval. That Village Board meeting is currently scheduled for April 27th.

We'll need know if/when the day care use will cease and commercial office use will begin. Also, there is a fee for the conditional use permit of $250. This will need to be paid at the time you pick up the permit.

I will forward an agenda when we get closer. I'm taking care of the public notices now. Let me know if you have any questions.

Bill Chang
Village Administrator/Clerk

***Alert to Cross Plains Elected Officials and Members of Village Committees, Boards, Commission and Task Forces: In order to comply with the Open Meetings Act requirements, please limit any reply to only the sender of this electronic communication.***

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**From:** Mike Endres <mendres@endresinsurance.net>
**Sent:** Tuesday, March 17, 2020 12:08 PM
**To:** Bill Chang <bchang@cross-plains.wi.us>
**Subject:** 1805 Bourbon Rd- Accepted Offer

Bill,

I am emailing you to inform you of our accepted offer for the daycare building. One of our contingencies was the conditional use permit to change the building from a daycare building to an office building. I still need to meet with the owner of the daycare facility, as I would like to see them stay one more year starting June 1st of 2020. I then want to offer up the lower level of the building for them to still run their daycare facility.

Please let me know what I need to do to apply for the conditional use permit. With our offer, this is time sensitive. Thank you!

Mike Endres
President/Owner
608-798-6311
mendres@endresinsurance.net

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: Bill Chang, Village Administrator/Clerk
Date: April 10, 2020
Re: **1909 Main Street Concept GDP and SIP Approval**

**Executive Summary**

1909 Main Street has submitted a general development plan and implementation plan for Plan Commission review. The plan proposes to add outdoor entertainment to the use of the property.

**Project Background**

This property is currently zoned Main Street Mixed Use. Ms. Ripp was granted a conditional use permit in 2019 for indoor commercial entertainment. She would like to extend services to an outdoor patio and green space. Due to the constraints of the property and restriction from the buffer yard requirements in the MSMU district, staff has recommended that Ms. Ripp propose a general development plan and specific implementation plan to rezone the property. As part of the process, Ms. Ripp is asking for a Plan Commission review of the concept plan for the proposed development.

**Code Review**

*Section 84.167 (PD) Planned Developments*

This section of the zoning code allows for developments to have certain flexibilities. It also allows for staff, the Plan Commission, and the Village Board to add certain restrictions unique to the property.

Ms. Ripp had initially met with the Village Planner and Village Administrator/Clerk for a pre-Application conference to discuss her objectives and the process forward. The Plan Commission revived the GDP concept plan at its March 2, 2020 meeting and recommended that Ms. Ripp move forward with it. The GDP and SIP are now being presented for approval and recommendation by the Plan Commission to the Village Board. Once the Village Board approves the rezone, the SIP will effectively provide the zoning requirements for the property. The owner is then responsible for recording the new zoning with land records.

Staff has sent out notices to all adjoining property owners within 100 ft and posted the hearing notice to the Middleton Times-Tribune. Staff has not received testimony or objection to the rezone.

**Recommendation**

Village Staff recommends approval of the GDP and SIP.

**SECTION 84.41 (PD) Planned Development.**

(a) **Purpose.** The purpose of this district is to provide for the possible relaxation of certain development standards pertaining to the underlying standard zoning district (see Article II). In exchange for such flexibility, planned developments shall provide a much higher level of site design, architectural control, and other aspects of aesthetic and functional excellence than normally required for other developments.

(b) **Intent.** Planned developments are intended to encourage, promote, and provide improved environmental design by allowing for greater freedom, imagination, and flexibility in the development of land, while ensuring substantial compliance with the basic intent of this Chapter and the Village of Cross Plains Comprehensive Plan. To this end, planned developments allow diversification and variation in the relationship of uses, structures, open spaces, and heights of structures in developments conceived and implemented as comprehensive and cohesive unified projects. It is further intended to encourage economic development and more rational developments with regard to public services and to encourage and facilitate preservation of open space and natural resources. Planned developments are not intended to circumvent the intent of other zoning districts or this Chapter.

(c) **Applicability.**

(1) **Ownership.** A tract of land proposed to be developed as a PD shall be under the control of a single owner where the owner agrees in advance to be bound by the conditions and regulations which will be effective within the district and to record such covenants, easements, and other provisions with the county.

(2) **Size.** There is no minimum or maximum size for a PD.

(3) **Condominiums.** Condominium projects with jointly owned common spaces and/or commonly owned structural walls, roofs, or other structural elements must be approved as PDs if, as a result of a condominium division of the land, the lot requirements of the district in which the development is located cannot otherwise be met. This requirement would apply to townhouses where the resulting lot size would be less than otherwise required.

(d) See Section 84.167 for the process to establish Planned Development Zoning.

(e) See Section 84.167(c)(3) and 84.167(c)(4) for the General Development Plan and Specific Implementation Plan requirements.

(f) Planned Developments are exempt from the requirements of Section 84.118 Group and Large Developments.

**SECTIONS 84.42 - 84.49 Reserved**

**SECTION 84.167 Planned Developments.**

(a) **Purpose.** The purpose of this Section is to provide regulations which govern the procedures for the review and approval, or denial, or proposed Planned Developments.

(b) **Initiation of Request.** Proceedings for approval of a Planned Development may be initiated by any of the following:

(1) An application by the owner(s) of the subject property;

(2) A recommendation of the Plan Commission to the Village Board; or

(3) By action of the Village Board.

(c) **Procedure for Planned Development Approval.** The procedure for zoning to a Planned Development (PD) district shall follow the Zoning Map Amendment procedure included in Section 84.160, except that the Planned Development procedure shall be subject to the following additional requirements.

(1) **Pre-Application Conference.** Prior to formal petition for zoning to a PD district, the applicant shall confer with appropriate Village staff in order to establish mutual understanding as to the basic concept proposed and to ensure proper compliance with the requirements for processing. Points of discussion and conclusions reached in this stage of the process shall in no way be binding upon the applicant or the Village, but should be considered as the informal, non-binding basis for proceeding to the next step.

(2) **Optional Concept Plan Review.** Upon completion of the pre-application conference, described above, the applicant may decide to prepare an optional conceptual plan for review by the Plan Commission.

a. At the Plan Commission meeting, the applicant shall engage in an informal discussion with the Plan Commission regarding the concept plan. Appropriate topics for discussion may include the any of the information provided in the concept plan, or other items as determined by the Plan Commission. Points of discussion and conclusions reached at this stage of the process shall be in no way be binding upon the applicant or the Village, but should be considered as the informal, non-binding basis for proceeding to the next step. The preferred procedure is for one or more iterations of Plan Commission review of the concept plan to occur prior to introduction of the formal application for rezoning, which accompanies the General Development Plan application (see (3), below).

b. The concept plan submittal shall include the following items (digital files should be submitted rather than paper copies whenever possible).

1. A location map of the subject property and its vicinity.

2. A general written description of the proposed PD, including:

(i) General project themes and images.

(ii) The general mix of dwelling unit types and/or land uses.

(iii) Approximate residential densities and nonresidential intensities as described by dwelling units per acre, landscaping surface ratio, and/or other appropriate measures of density and intensity.

(iv) General treatment of natural features.

(v) Relationship to nearby properties and public streets.

(vi) Relationship of the project to the Comprehensive Plan.

(vii) Description of potentially requested exceptions from the requirements of this Chapter. The purpose of this information shall be to provide the Plan Commission with information necessary to determine the relative merits of the project with respect to private versus public benefit, and to evaluate the potential adverse impacts created by making exceptions to standard zoning district requirements.

3. A conceptual drawing of the site plan layout, including the general locations of public streets and/or private drives.

4. The Plan Commission shall review the concept plan and, if accepted, shall inform the applicant to move on to the next step in the PD process, General Development Plan.

(3) **General Development Plan Review.** Upon acceptance of the Concept Plan by the Plan Commission, the applicant shall submit a General Development Plan (GDP) to the Zoning Administrator for determination of completeness. Upon determination of completeness by the Zoning Administrator, the GDP shall be placed on the Plan Commission agenda for review and recommendation. Upon recommendation of the Plan Commission, the GDP shall be reviewed by the Village Board. Upon approval of the GDP by the Village Board, the GDP shall establish the zoning for the property.

a. The GDP submittal shall include the following items(digital files should be submitted rather than paper copies whenever possible):

1. General location map of the subject site depicting:

(i) All lands for which the Planned Development is proposed and all other lands within 100 feet of the boundaries of the subject site.

(ii) Names and addresses of the owners of all lands on said map as the same appear on the current records of the Register of Deeds.

(iii) Current zoning of the subject site and abutting properties, and the jurisdiction(s) that maintains that control.

(iv) A graphic scale and a north arrow.

2. Generalized site plan showing the pattern or proposed land uses, including:

(i) General size, shape, and arrangement of lots and specific use areas.
(ii) Basic street pattern.
(iii) General site grading plan showing preliminary road grades.
(iv) Basic storm drainage pattern, including proposed on-site stormwater detention.
(v) Preliminary sanitary sewer and water system layout.
(vi) General location of recreational and open space areas, including designation of any such areas to be classified as common open space.

3. Statistical data, including:
   (i) Minimum lot sizes in the development.
   (ii) Approximate areas of all lots.
   (iii) Density/intensity of various parts of the development.
   (iv) Building coverage.
   (v) Landscaping surface area ratio of all land uses.
   (vi) Expected staging.
4. Conceptual landscaping plan, noting approximate locations of foundation, street, yard, and paving landscaping, and comparing the proposed landscaping plan to the standard landscaping requirements in Article VIII.
5. General signage plan, including all project identification signs and concepts for public fixtures and signs (such as street light fixtures and/or poles or street sign faces and/or poles) which are proposed to vary from Village standards or common practices.
6. General outline of property owners association, covenants, easements, and deed restrictions.
7. A written description of the proposed Planned Development, including:
   (i) General project themes and images.
   (ii) The general mix of dwelling unit types and/or land uses.
   (iii) Approximate residential densities and nonresidential intensities as described by dwelling units per acre, landscaping surface area ratio, and/or other appropriate measures of density and intensity.
   (iv) General treatment of natural features.
   (v) General relationship to nearby properties and public streets.
   (vi) General relationship of the project to the Comprehensive Plan.

(vii) Proposed exceptions from the requirements of this Chapter.

8. A Transportation Demand Management (TDM) Plan meeting Wisconsin Department of Transportation requirements for content and format may be required by the Village if deemed necessary by the Village Engineer.

b. The Zoning Administrator, or by majority vote of the Village Board may waive submittal information listed above, and/or may likewise require additional information beyond that listed above.

c. The process for review and approval of the GDP shall be identical to that for Zoning Map Amendments per Section 84.160.

d. All portions of an approved GDP not initiated through granting of a building permit within 10 years of final Village Board approval shall expire and no additional Planned Development-based activity shall be permitted. The Village Board may allow multiple extensions via a majority vote following a public hearing. Completed portions of the GDP shall retain the GDP status.

e. Within 12 months of GDP approval the applicant shall submit a Specific Implementation Plan.

(4) **Specific Implementation Plan.** Upon completion of the GDP review process described above, the applicant shall submit a Specific Implementation Plan (SIP) to the Zoning Administrator for determination of completeness. Upon determination of completeness by the Zoning Administrator, the SIP may be placed on the Plan Commission agenda for SIP review.

a. The SIP submittal shall include the following items. Note that the area included in an SIP may be only a portion of the area included in a previously approved GDP (digital files should be submitted rather than paper copies whenever possible).

1. An existing conditions map of the subject site depicting the following:

(i) All lands for which the Planned Development is proposed and all other lands within 100 feet of the boundaries of the subject site.

(ii) Names and addresses of the owners of all lands on said map as the same appear on the current records of the Register of Deeds.

(iii) Current zoning of the subject property and all abutting properties, and the jurisdiction(s) that maintains that control.

(iv) Existing utilities and recorded easements.

(v) All lot dimensions of the subject site.

(vi) A graphic scale and a north arrow.

2. An SIP map of the proposed site showing at least the following:
   (i) Lot layout and the arrangements of buildings.
   (ii) Public and private roads, driveways, walkways, and parking facilities.
   (iii) Specific treatment and location of recreational and open space areas, including designation of any such areas to be classified as common open space.
3. Proposed grading plan.
4. Specific landscaping plan for the subject site, specifying the location, species, and installation size of all plantings. The landscaping plans shall include a table summarizing all proposed species.
5. Architectural plans for any nonresidential buildings, multifamily structures, or building clusters, other than conventional single-family homes or individual lots, in sufficient detail to indicate the floor area, bulk, and visual character of such buildings.
6. Engineering plans for all water and sewer systems, stormwater systems, roads, parking areas, and walkways.
7. Signage plan for the project, including all project identification signs, concepts for public fixtures and signs (such as street light fixtures and/or poles or street sign faces and/or poles), and group development signage themes that are proposed to vary from Village standards or common practices.
8. Specific written description of the proposed SIP including:
   (i) Specific project themes and images.
   (ii) Specific mix of dwelling unit types and/or land uses.
   (iii) Specific residential densities and nonresidential intensities as described by dwelling units per acre, and landscaping surface area ratio and/or other appropriate measures of density and intensity.
   (iv) Specific treatment of natural features, including parkland.
   (v) Specific relationship to nearby properties and public streets.
   (vi) Statistical data on minimum lot sizes in the development, the precise areas of all development lots and pads; density/intensity of various parts of the development; building coverage, and landscaping surface area ratio of all land uses; proposed staging; and any other plans required by the Plan Commission.
   (vii) A statement of rationale as to why PD zoning is proposed. This statement shall list the standard zoning

requirements that, in the applicant's opinion, would inhibit the development project and the opportunities for community betterment that are available through the proposed PD project.

(viii) A complete list of zoning standards that would not be met by the proposed SIP and the location(s) in which such exceptions would occur. The applicant may also provide a list of zoning standards that would be more than met by the proposed PD and the location(s) of such occurrences.

(ix) Phasing schedule, if more than one development phase is intended.

9. Agreements, bylaws, covenants, and other documents relative to the operational regulations of the development and particularly providing for the permanent preservation and maintenance of common open areas and amenities.

10. A written description that demonstrates how the SIP is consistent with the approved GDP and any and all differences between the requirements of the approved GDP and the proposed SIP.

11. The applicant shall submit proof of financing capability pertaining to construction and maintenance and operation of public works elements of the proposed development.

b. The Zoning Administrator, or by majority vote of the Village Board may waive submittal information listed above, and/or may likewise require additional information beyond that listed above.

c. The process for review and approval of the SIP shall be identical to that for site plans per Section 84.164.

d. The Plan Commission shall make recommendations to the Village Board. The Village Board shall then review and consider approval of the SIP. All portions of an approved SIP not fully developed within 10 years of final Village Board approval shall expire, and no additional Planned Development-based activity shall be permitted. The Village Board may allow multiple extensions via a majority vote following a public hearing. Completed portions of the SIP shall retain the SIP status.

(5) **Criteria for Approval.** In its review and action for an application for a Planned Development district, the Plan Commission and, subsequently, the Village Board shall make findings with respect to the following criteria:

a. The proposed Planned Development project is consistent with the overall purpose and intent of this Chapter.

b. The proposed Planned Development project is consistent with the Village's Comprehensive Plan (it is the responsibility of the Village to determine such consistency).

c. The proposed Planned Development project would maintain the desired relationships between land uses, land use densities and intensities, and land use impacts in the environs of the subject site.

d. Adequate public infrastructure is or will be available to accommodate the range of uses being proposed for the Planned Development project, including but not limited to public sewer and water and public roads.

e. The proposed Planned Development project will incorporate appropriate and adequate buffers and transitions between areas of difference land uses and development densities/intensities.

f. The proposed Planned Development project design does not detract from areas of natural beauty surrounding the site.

g. The proposed architecture and character of the proposed Planned Development project is compatible with adjacent/nearby development.

h. The proposed Planned Development project will positively contribute to the physical appearance and functional arrangement of development in the area.

i. The proposed Planned Development project will produce significant benefits in terms of environmental design and significant alternative approaches to addressing development performance that relate to and more than compensate for any requested exceptions or variation of any normal standard of this Chapter.

j. For Planned Development projects that are proposed to be developed in phases, the applicant can provide a clear timeline for development and can demonstrate that the project would be successful even if all phases were not or could not be completed.

(6) **Changes or Alterations.** Any change of the PD plans subsequent to approval of the PD-SIP shall be submitted to the Zoning Administrator. If the Zoning Administrator determines that the change constitutes a substantial modification, the developer will be required to amend the PD-SIP, and if necessary, the PD-GDP, following the procedures set forth in this section for review and approvals. If, in the opinion of the Zoning Administrator, such changes do not constitute a substantial alteration of either the GDP or SIP, the change may be accomplished by approval of the Zoning Administrator. Such approved changes or modifications shall be documented and recorded in the official file of the Village on the PD.

(7) **Recording.** The final PD-SIP and GDP, and all amendments thereto, shall be recorded with the Dane County Register of Deed's Office at the applicant's sole expense.

Planned Development Application

Nineteen09 LLC
Dale & Katy Ripp
5700 Otto Kerl Rd
Cross Plains, WI 53528
February 12th, 2020

Village Administrator
Village of Cross Plains
PO Box 97, 2417 Brewery Rd
Cross Plains, WI 53528

To Whom It May Concern:

As owners of the property located at 1909 Main Street, we are submitting this document as application for a Planned Development

The following outlines the intended development:

Project Location: 1909 Main St, Cross Plains, WI
Zoning: MSMU - Main Street Mixed Use
Building Type: Two story building, 3079 sq ft retail/office space
Site Amenity Updates: Fenced Patio, Refuse Collection, Sidewalk to front door

1. Attached to this application is the location map of the subject property.
2. The general description of our proposed planned development is as follows:

- The general theme of the project is to provide outdoor space available to our customers to enjoy music, drinks, food,

outdoor lawn games, private events and classes. In addition, we will add a sidewalk from the driveway (American Legion Drive side) across our side yard to connect with our front entrance and also a fenced area to hide our garbage and recycling.

Within the fenced **patio** area:

- Outdoor patio space will include a mixture of concrete, grass, and stone pathways.
- Surrounded by 6'H composite fencing on the west, north and east boundaries.
    - 3' from west and north property lines for maintenance purposes
    - Low maintenance Arbor Vitae will be planted on the west adjoining lot line to provide cover for neighbors. Weed mat and bark will be installed around trees.
    - Cedar trees on north lot line will be cleaned up for north adjoining neighbor.
    - Concrete and grass will touch the fence posts (no barrier between fence and concrete and grass)
- Iron fence (3'H) on the south side (Main Street).
- One-way locked gates (may exit freely, must enter patio through building) will be located on the south side (Main Street) and north east corner (American Legion Rd).
- Seating for up to 75 guests will be provided in the form of picnic tables, Adirondack furniture, stone benches, pub tables, lawn chairs and patio furniture.
- Colorful umbrellas and/or fabric awnings may be used for shade.
- Fencing panels and bushes will be installed to cut down on air conditioning noice.
- Overhead "patio" string lighting will be strung from fencing connected to the building at less than 100 watts per bulb and put on a dimmer.
- Down lit lights will be attached to each fence pole.
- Solar pathway lighting will be at 60 watts.
- A raised, stone surrounded gas fire pit will be installed at the northwest corner of the property.

- Lawn games may include Bean Bag toss, Lawn Jenga, Spike ball, Badminton, Croquet, Bocce, Dice, etc.
- Dogs welcome.
- Guests may bring in their own food.
- Events may include, but not limited to, rehearsal dinners, wedding ceremony and receptions, bridal/baby showers, workshops, classes, meetings, musical events, food trucks, etc.
- Music will be acoustic and live (no DJs) and will end at 10:00pm daily.
- Hours of operation will be 8:00am (open for classes (i.e. fun runs, yoga, etc. or workshops) until our normal operating hours no later than 12:00am.
- Up to five portable domes may be installed for guests to rent in 90 minute increments in the fall, winter and spring. (Find more information about this concept here: https://cafebenelux.com/luxdomes/). Photo attached.

**Sidewalk** to main entrance:

- From the driveway on the east property line (American Legion Drive) a concrete pathway will connect to the main entry to the building. This will make it easier to get through the front door. Solar pathway lighting will be down it and not exceed 100 watts.

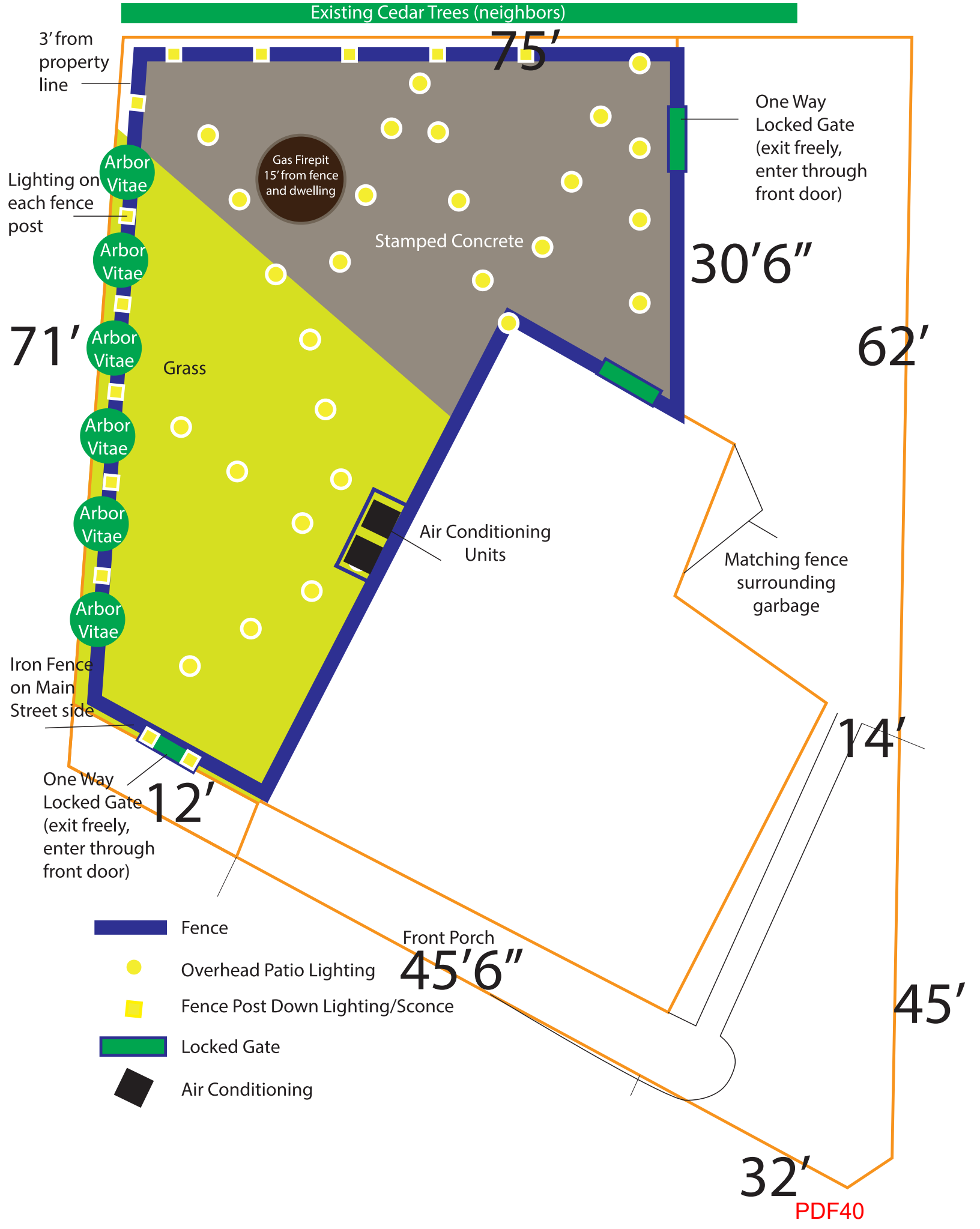
Fencing around **refuse**:

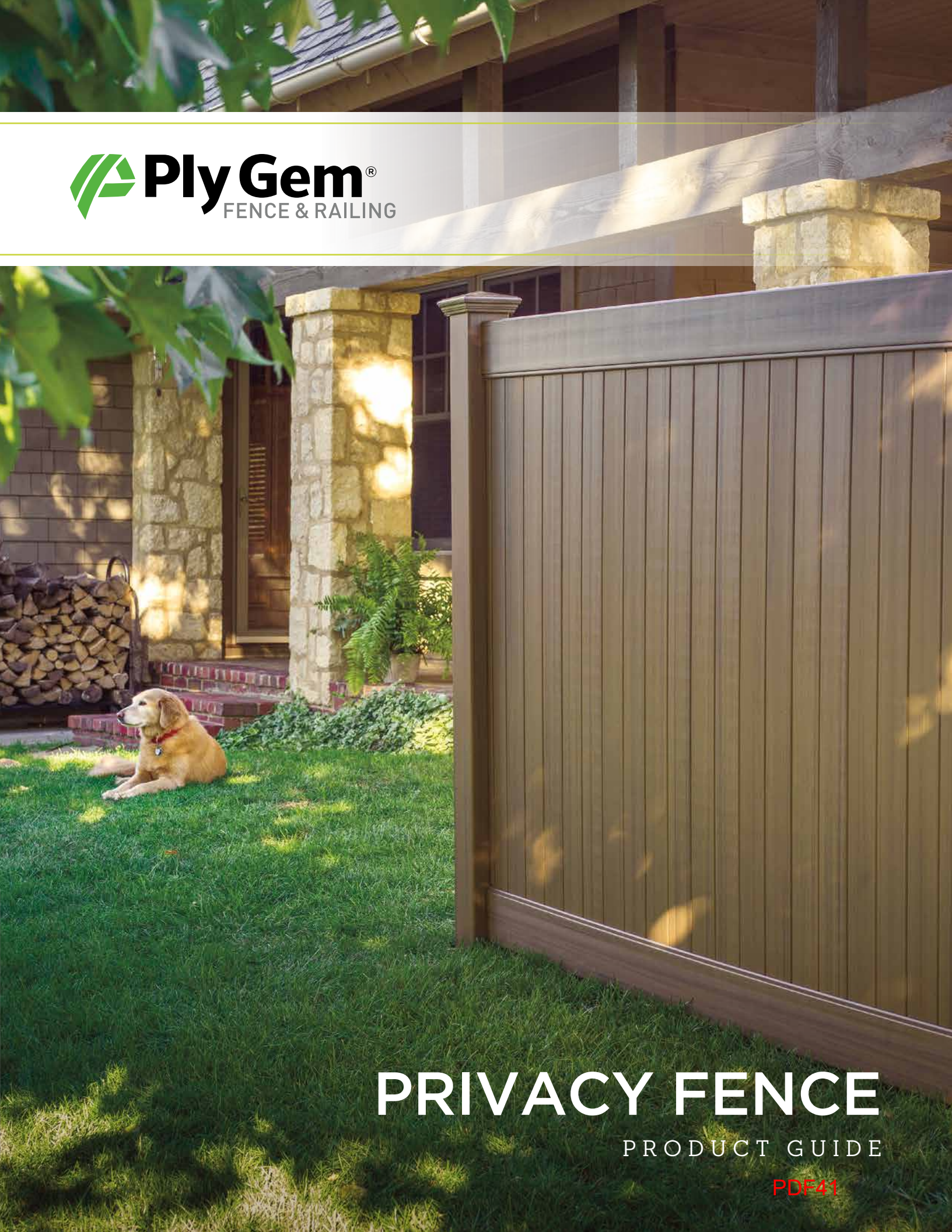
- Composite fencing that matches the exterior of the patio (west, north and east sides) will be constructed around an existing concrete triangle adjacent to the east side of the building.

In summary, we feel the proposed use for this historic, charming building will be a welcome addition for Cross Plains residents and will attract visitors from neighboring communities. We look forward to working with the Village to make this project an important amenity for the community.

Sincerely,

Dale & Katy Ripp


Existing Cedar Trees (neighbors)
3' from property line
75'
One Way Locked Gate (exit freely, enter through front door)
Lighting on each fence post
Arbor Vitae
Gas Firepit 15' from fence and dwelling
Stamped Concrete
30'6"
71'
62'
Grass
Air Conditioning Units
Matching fence surrounding garbage
Iron Fence on Main Street side
14'
One Way Locked Gate (exit freely, enter through front door)
12'
Fence
Overhead Patio Lighting
Fence Post Down Lighting/Sconce
Locked Gate
Air Conditioning
Front Porch
45'6"
45'
32'
PDF40



Ply Gem®
FENCE & RAILING

# PRIVACY FENCE

PRODUCT GUIDE

PDF41

## Styles to suit any home.

Whatever your design needs, Ply Gem Fence & Railing manufactures a full range of vinyl and outdoor products to suit the look of any home and to meet any functional requirement.

- Routed construction means it looks great from any angle
- Supported by nationwide service and distribution
- Backed by a Limited Lifetime Warranty

## No wood. No work. No hassle.

More and more people like you are choosing vinyl outdoor products. You're choosing them because you want the classic look of wood without the upkeep or expense.

No need to paint, stain or replace rotted boards damaged by water or insects. Ply Gem Fence & Railing is a sustainable fencing option.

## Formulated for exceptional strength and beauty.

Only the best materials go into Ply Gem Fence & Railing products. We use the highest quality raw materials and the most advanced engineering techniques. Why? Because they make our products last longer and look better than other vinyl fence and railing products. Which, over time, makes customers very happy and helps you stand out from the competition.

Front Cover: Solid Privacy in Woodland Select™ Chestnut Brown
Above: Solid Privacy in Almond

Solid Privacy in Tan



PDF42

# PRIVACY FENCE

## **PRIVACY AND SECURITY**
## THAT'S EASY TO LIVE WITH.

Nothing finishes a property like a Ply Gem privacy fence. Choose Ply Gem with confidence, knowing our privacy fences are the low-maintenance choice, backed by one of the best Limited Lifetime Warranties in the business.

- Hard-working style without the hard work
- Feels and looks like painted wood, without the upkeep
- Ultimate peace of mind that's great to look at and easy to live with for years to come

Solid Privacy in Woodland Select™ Natural Cedar with Convex Top Rails

## **CLASSIC STYLE,** CLASSIC PERFORMANCE.

Ply Gem Fence is the easiest way into the great looks and durability of Ply Gem Fence & Railing's vinyl products. Our fencing includes the most popular privacy fence styles, engineered for affordability with no compromises.

Solid Privacy in White with Gothic Post Caps



PDF44

# PRIVATE, STYLISH & MINIMAL MAINTENANCE.

We have made choosing a privacy fence easy by offering our great-looking selection of fence styles and colors in all price ranges. And our privacy fence looks great on both sides because of our routed construction.

- Classic style, engineered for affordability
- The broadest range of colors including our premier Woodland Select and variegated colors
- And our Limited Lifetime Transferable Warranty means no compromises

Solid Privacy in Woodland Select™ Aged Cedar

Semi-Privacy in Almond

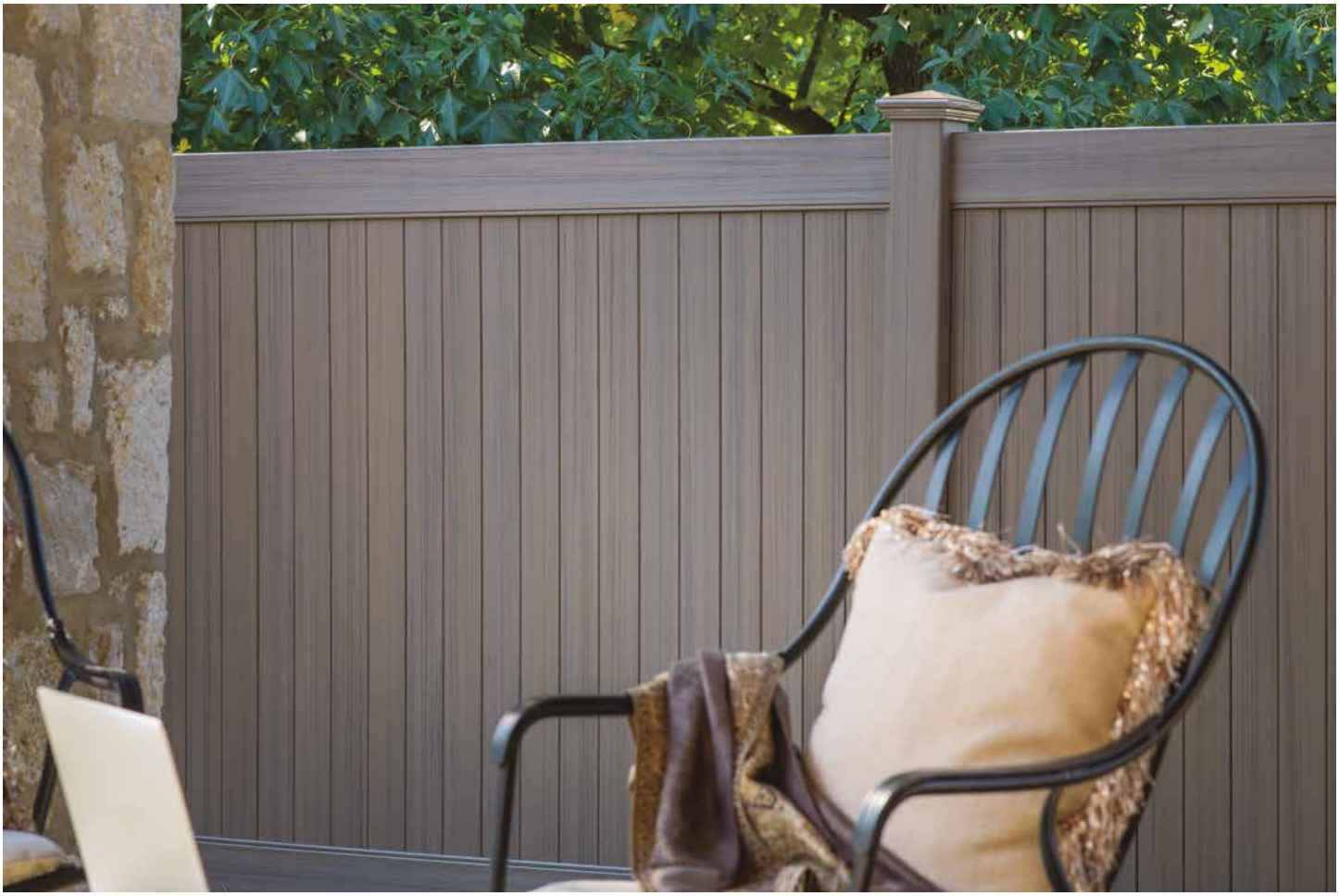
## STANDARD COLORS

Tan | Sandstone | Khaki | White | Almond

## WOODLAND SELECT™ COLORS

Natural Cedar | Redwood | Aged Cedar | Weathered Cedar | Chestnut Brown

PDF45



Solid Privacy in Woodland Select™ Chestnut Brown

## **STRENGTH AND STYLE** THAT HOLD UP.

Ply Gem Privacy Fencing is a premier line of products designed for home or property offering select and sophisticated designs, accents and colors combined with our legendary durability – all backed by a Limited Lifetime Warranty. combined with Ply Gem Fence & Railing's legendary durability and attention to detail.

Solid Privacy in Woodland Select™ Natural Cedar

Solid Privacy in Tan and White



PDF46

Solid Privacy in White

Solid Privacy in Woodland Select™ Redwood

Ply Gem Stone Solid Privacy Column Collection
(Pictured here with Solid Privacy in Woodland Select™ Weathered Cedar)

Privacy with Dropped Rail in White

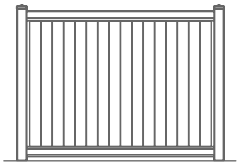
## STANDARD COLORS

Tan | Sandstone | Khaki | White | Almond

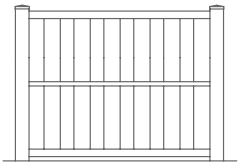
## WOODLAND SELECT™ COLORS

Natural Cedar | Redwood | Aged Cedar | Weathered Cedar | Chestnut Brown

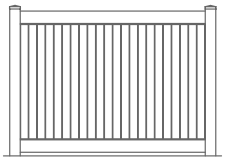
## PRIVACY FENCE STYLES



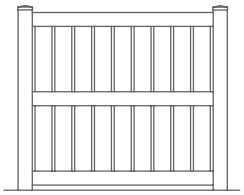
Pre-Fabricated
Solid Privacy



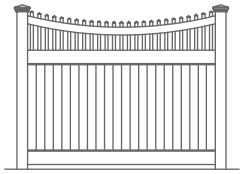
Shadow Box



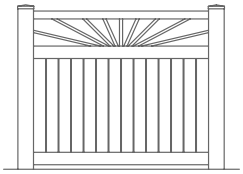
Solid Privacy



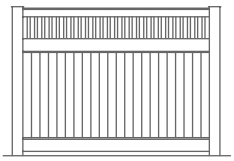
Semi-Privacy



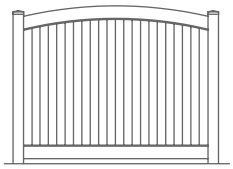
Privacy with
Dropped Rail



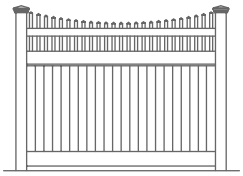
Privacy with
Sunburst Accent



Privacy with
Picket Accent

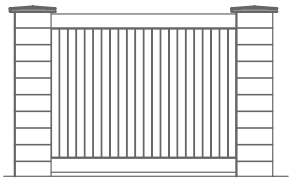


Privacy with
Rising Rail

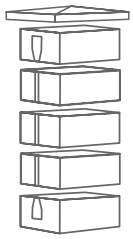


Privacy with
Scalloped Picket Accent

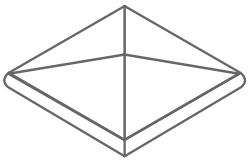
## PRIVACY COLUMN COLLECTION



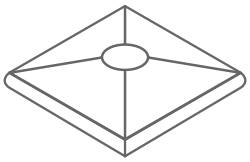
Privacy Column Blocks
Designed for Ply Gem Solid Privacy



## COLUMN CAPS



Closed



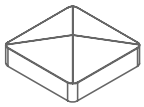
Open

## COLUMN COLORS

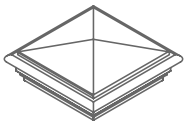
Canyon

Cap Color

## POST CAPS

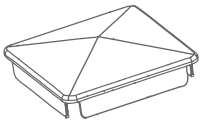


Pyramid*



Classic*

Gothic



Internal*

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## Bill Chang

**From:** Katy RIpp <katy.ripp@gmail.com>
**Sent:** Tuesday, March 10, 2020 7:13 AM
**To:** Bill Chang
**Subject:** Products

**Follow Up Flag:** Follow up
**Flag Status:** Flagged

Hi Bill,

Attached are screenshots of each item we plan to purchase. I did not include skews or prices as I don't necessarily want to share that with the public. If you need them for other reasons, I'll send them separately.

Please let me know if you need anything else from me.
Thanks,
Katy



PDF49

Garden Dome Igloo- Stylish Conservatory, Play Area for Children, Greenhouse or Gazebo.

9

PDF50

7 Variations Available

**POLYWOOD South Beach Adirondack Patio Chair in Traditional Colors**

PDF51

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: Bill Chang, Village Administrator/Clerk
Date: April 9, 2020
Re: **2305 Preliminary CSM - Subdivision**

**Executive Summary**

Luke McNeely has submitted an application to subdivide the property at 2305 Church Street. Mr. McNeely intends to subdivide the lot so that they may construct a new home on the remaining lot. They are submitting a preliminary certified survey map (CSM) for review.

**Project Background**

The property at 2305 Church Street is zoned as Single Family Residential 5. The lot is big enough to subdivide. The garage near the rear of the lot is non-conforming in regards the rear set back and is still in relatively good shape, but sits in the middle of the lot. It is positioned so that the new lot lines will need to go around it in order for the owners to keep it as is. The other option would be to relocate the garage or tear it down and reconstruct the garage to the current regulations.

The original lot also shares a driveway with the property to the west. When asked about this, the owner does not know of a shared driveway agreement. Staff has recommended that one be obtained to avoid any issues in the future.

The new lot will meet current zoning regulations in SR-5 zoning district. Owners will need new separate water and sewer laterals which will require them to cut into Church Street. Below are the comments from the Village's Development Team.

Mike Slavney, Village Planner – "Looks fine to me Bill."

Brian Berquist, Village Engineer – "the new lot would need their own dedicated sewer and water laterals out into CTH P, which would also have the associated pavement patching. Given the pavement thicknesses, the total costs would likely be in the $15k range."

Paul Johnson, Village Attorney - Assuming Lot 2 is going to be residential, does this meet the minimum lot size for the zoning and is there a driveway issue depending on the location of the Lot 1 driveway?"

Jerry Gray, Public Facilities Director – "Assuming this property division meets all zoning requirements and is approved by the Board, then we can talk about the actual construction process prior to issuing a building permit. There will be some "unique" construction issues that the owner will have to be willing to deal with."

**Code Review**

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

Both lots will be kept in the SR-5 district for single family residential homes, which are uses permitted by right. The lots will meet density, intensity and bulk regulations in the district as well. The rear set back of the home is identified on the map so that owner understands that no building may be constructed north of the line in order to meet the lot width requirements. The new lot is 7,763 sq ft which is more that the minimum 7,200 sq ft required in this district.

**Recommendation**

Village Staff recommends approval of the preliminary certified survey map and recommendation to the Village Board. The owner and surveyor shall bring the preliminary certified survey map to its final draft (in accordance to Chapter 83) prior to submitting to the Village Board for approval.

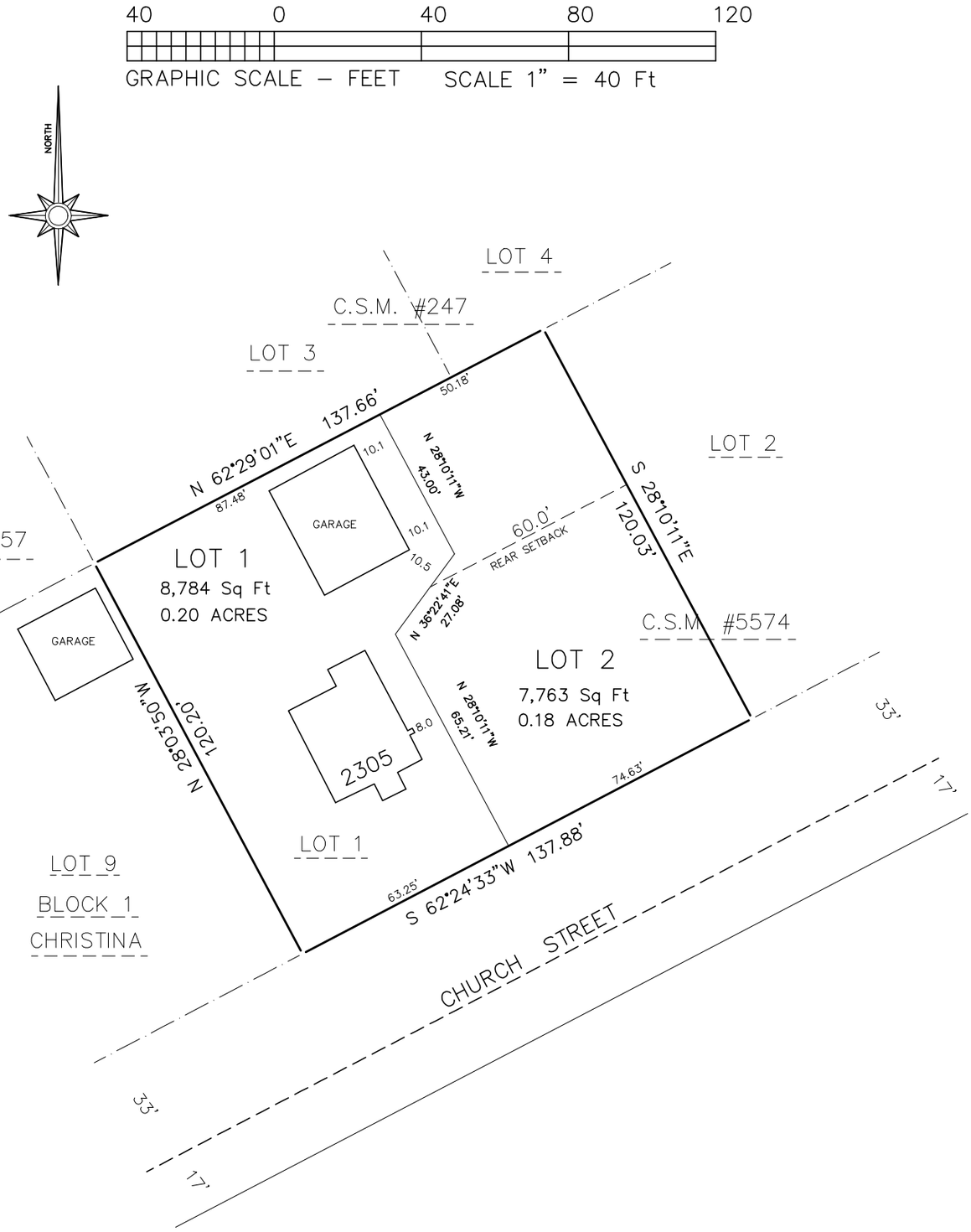
# PRELIMINARY

## CERTIFIED SURVEY MAP

WALKER SURVEYING INC.

5964 LINDA CT. MAZOMANIE, WI. 53560

A REDIVISION OF LOT 1, C.S.M. #5574, LOCATED IN THE SE 1/4 OF THE NE 1/4, SECTION 3, T07N, R07E, VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN.




PDF54

C5574LM

**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) Repealed (Ordinance #05-2017)*
(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) | 3 feet from side, or 0 feet for shared driveway; 10 feet from right of way or rear | 3 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

(b) Whenever a preliminary plat of a replat is filed, the Plan Commission shall schedule and hold a public hearing before it acts on the plat. Notices of the proposed replat and public hearing shall be mailed, at the subdivider's expense, to the owners of all properties within the limits of the exterior boundaries of the proposed replat and to the owners of all properties adjacent to the proposed replat.

**SECTION 83.28 Land Divisions by Certified Survey.**

(a) A certified survey which has been approved by the Plan Commission and the Village Board and meets all of the requirements of Section 236.34, Wis. Stats., and of this chapter may be utilized to create not more than four parcels, 15 acres each or less in size. The Plan Commission may require a preliminary plat to be filed by a subdivider who is seeking approval of a certified survey map. When required, the preliminary plat must include all lands under the control of the applicant within a parcel up to a maximum area of 40 acres. The land comprising the 40 acres will be determined by quarter-quarter section lines unless indicated otherwise. When a preliminary plat is not required, the certified survey map shall include the entire parcel owned by the subdivider. The subdivider shall comply with the requirements of Sections 83.118-83.121 of this Chapter when a certified survey map is used unless a waiver has been granted pursuant to Section 83.120. The Board resolution approving the certified survey map shall be reproduced legibly on the face of the map. All outstanding special assessments shall be paid prior to approval unless determined otherwise by the Village Board.

(b) The applicant for a land division shall file 10 blue-line prints or other acceptable reproductions of a certified survey map and a written application for approval with the Village Administrator/Clerk-Treasurer. 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.

(c) Before accepting any certified survey map for filing and submittal to the Plan Commission, the Administrator/Clerk-Treasurer shall determine whether the certified survey map 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 certified survey map 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 transmit the copies of the map and application to the Plan Commission and to all affected Village departments for their review and recommendations concerning matters within their jurisdiction. Department recommendations shall be transmitted to the Plan Commission within 21 days from the date the map is filed. The map shall be reviewed by the Plan Commission for conformance with this chapter, the Village Comprehensive Plan, and any statute, ordinance, rule, or regulation which affects it.

(d) The Plan Commission shall recommend approval or conditional approval of the map to the Village Board or shall reject the map. If approval or conditional approval is recommended, the map shall be referred to the Village Board for consideration. The Village Board shall then approve, conditionally approve, or reject the map. One copy of the map shall be returned to the subdivider 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 required herein within 90 days of the completed filing of the map shall constitute an approval of the map.

(e) After the certified survey map has been approved by the Village Board, the contract for improvements is entered and recorded, and the security for the installation of improvements has been filed in accordance with Section 83.11 and any fee imposed pursuant to Sections 83.12 and 83.119 or any other required costs, fees and assessments have been paid, the subdivider shall submit the map to the Village Administrator/Clerk-Treasurer. The Administrator/Clerk-Treasurer shall execute the certificate inscribed upon the map attesting to such approval and return the map to the subdivider for recording.

(f) All certified survey maps shall be recorded with the Register of Deeds for Dane County within six months of final approval and 24 months of first approval and:

(1) Failure to record a certified survey map within 24 months of the first approval or six months of last approval shall require the subdivider to resubmit a certified survey map pursuant to this section and pay all fees required under Section 83.119(b)(1) of this chapter.

(2) All resubmissions of certified survey maps shall be treated as new and independent certified survey maps, and no approval of a previous certified survey map shall be binding upon the Plan Commission or Village Board even if such certified survey map is unchanged.

(g) The subdivider shall file a certified copy of the recorded map with the Village Administrator/Clerk-Treasurer within 10 days after the map is recorded.

(h) No building permits shall be issued and no improvements may be made until the approved certified survey map is approved by the Village and is recorded with the Register of Deeds.

## SECTION 83.29 Land Divisions within Extraterritorial Plat Approval Jurisdiction.

(a) **Authority.** The Village's authority to approve land division and condominium development plats within its extraterritorial jurisdiction is granted by Section 236.45(3) and Ch. 703, Wis. Stats.

(b) **Extraterritorial Land Division and Condominium Development Policies.** The following policy shall govern the Village's approval and regulation of divisions of

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Cross Plains, WI 53528
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# Memorandum

To: Plan Commission
From: Bill Chang, Village Administrator/Clerk
Date: April 9, 2020
Re: **Creek Crossing Concept Plat Revision and Update**

**Executive Summary**

The Creek Crossing at St. Francis Subdivision Development continues to move forward. Ron Klaas, engineer for the project will provide an update to the Plan Commission.

**Project Background**

It has been approximately one year since the Creek Crossing at St. Francis subdivision project was proposed. Through that time, several versions of the plat have been brought forward as concepts. A majority of the documentation and information need for the preliminary plat submittal has been provided by the developer and received by Village staff.

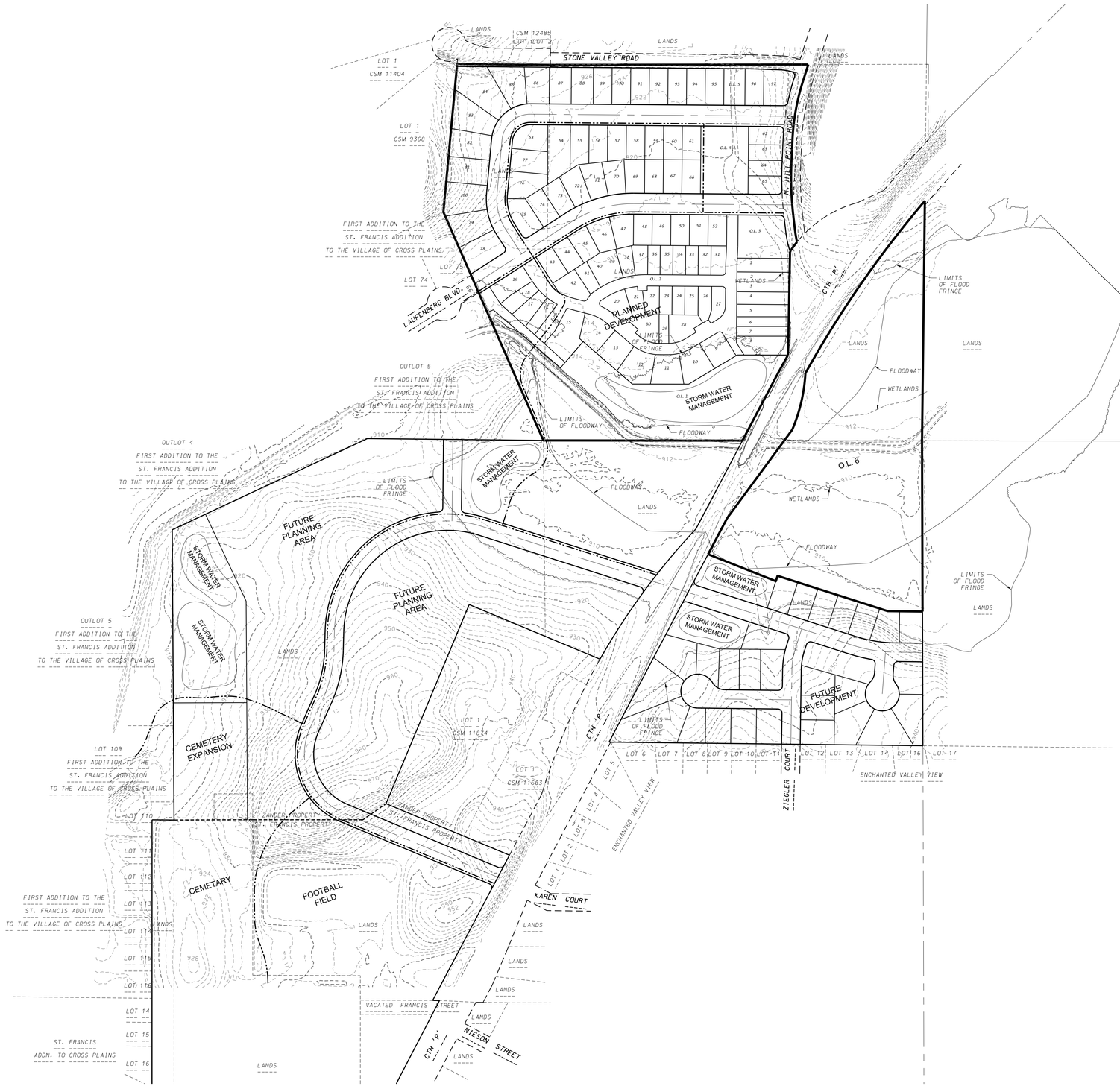
Recently, the Village Plan Commission had asked that D'onofrio Kottke, the engineering firm, conduct a traffic study of the plat to help answer some of the concerns that residents had. Ron Klaas will report on that.

The Village and Creek Crossing development group have also been negotiating approximately 14 acres of land to be donated to the Village for stormwater purposes as part of this development. That piece of land is now represented as Outlot 6 on the plat and will be dedicated as part of this phase of development.

The Capital Area Regional Planning Commission also held the public hearing for the Village's Urban Service Area Amendment Application on April 9th. We hope to received comment and approval soon.

**Recommendation**

1) If satisfied by the traffic report, approve the concept plan for the planned residential development and recommend that the developer move forward to submitting a General Development Plan and Specific Implementation Plan.
2) Review and comment on the revised preliminary plat.





D'ONOFRIO KOTTKE AND ASSOCIATES, INC.
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YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT


PLANNING MAP

# CREEK CROSSING AT ST. FRANCIS

VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN

GRID NORTH
WISCONSIN COUNTY COORDINATE SYSTEM (DANE ZONE)

SCALE: 1"= 200'

0 200

DATE: 04-09-20
REVISED:
x

FN: 17-07-128

Sheet Number:
1 of 1

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