

## MEMORANDUM

### Business Item A

From: Administrator/Staff

To: Plan Commission

Re: Plan Commission review & recommendation on a Certified Survey Map (CSM) Review Application submitted by Scott Andersen on behalf of the Arden & June Schroeder Joint Revocable Trust, for a proposed CSM dividing/reconfiguring Tax ID #006-0035, Tax ID #006-0033 (9457 State Rd 76), and Tax ID #006-1204-01 into two lots with a proposed road extension of Memory Lane.

Please find the below comments from Code Administrator Kussow:

#### General/Zoning Comments:

1. The subject parcels are located in the Town's General Agriculture (A-2) District. All of PIN 006-0033 and part of PIN 006-1204-01 are also located in the Town's Personal Storage Facility (PSF) Overlay District.
2. The subject parcels are not located in the "shorelands" and therefore, are not subject to Winnebago County zoning jurisdiction.
3. There is no floodplain on the subject parcel.
4. Wetlands were identified and delineated on the subject property in August 2021, as identified on the submitted CSM.
5. Part of PIN 006-0033 and part of PIN 006-1204-01 are located in Outagamie County's Airport Overlay District Zone 3 (AOD3) Airport Zoning District and Outagamie County's 1,009 ft. Airport Height Limitation Zone.
6. The subject parcels are not located in a Sewer Service Area or Sanitary District.
7. The existing use of the subject parcels is agricultural cropland.
8. A 200 ft. long extension of Memory Ln (adjacent to the south) with a temporary cul-de-sac and future road reservation is proposed with this land division.
9. Access to Lot 1 is proposed via the proposed extension of Memory Ln.
10. There is existing access to Lot 2 from State Rd 76. Future access to Lot 2 may also be provided via the proposed extension of Memory Ln.
11. Stormwater management and a Winnebago County Stormwater Permit will be required for the land division due to the proposed road extension. Stormwater management plans and the County Stormwater Permit were not provided.
12. The applicable minimum lot requirements for the A-2 District are as follows:
  - a. Minimum Lot Size: 5 acres
  - b. Minimum Lot Width: 200 ft.
  - c. Minimum Road Frontage: 200 ft.

The proposed lots will comply with the minimum lot requirements if the Town accepts the proposed road extension/dedication and approves the land division.

#### Proposed Street Extension Comments:

1. A 200 ft. long extension of Memory Ln is proposed. A 66 ft. wide future road reservation from the proposed extension of Memory Ln to the north lot line of the subject property for future road connection to the north is proposed.
2. The Town Future Land Use Map identifies "Future Roads" extending from the existing northern extent of Memory Ln in the Windfield Place subdivision, north through the subject property to the parcel adjacent to the north. The submitted

plan identifies a proposed road and future road reservation to the north, consistent with the Town Future Land Use Map. The Town Subdivision Ordinance states:

- a. *Proposed streets shall extend to the boundary lines of the tract being divided unless prevented by topography or other physical conditions or unless, in the opinion of the Town Board, such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of adjacent land tracts.*
- b. *Such streets shall terminate with a temporary turnaround of 120 feet right-of-way diameter and a roadway of not less than 90 feet in diameter.*

The proposed road and future road reservation to the north appears to be consistent with the Town Future Land Use Map and complies with the Town Subdivision Ordinance requirements outlined above.

3. Sec. 7.10.11 (7), Public Improvements, states: “Any minor land division involving or requiring public improvements shall be subject to the applicable public improvement standards and requirements specified in this ordinance. All public improvements shall be installed by the subdivider or the Town at the subdivider's expense. The subdivider shall execute a Public Improvement Agreement with the Town and provide the requisite financial security... prior to Town approval and as a condition of Town approval of a Certified Survey Map.”

The road extension of Memory Ln is a public improvement.

4. Sec. 7.10.06, Construction of Public Improvements, describes requirements for construction of public improvements. Sec. 7.10.06 (4), Public Improvement Agreement, describes minimum requirements for the Public Improvement Agreement that will need to be executed as a condition of approval of the CSM by Town Board and prior to official approval/release of the CSM (i.e., Town approval signature on the CSM). The Public Improvement Agreement shall contain, at minimum, the following provisions as detailed in Sec. 7.10.06 (4):
  - a. Estimated improvement costs.
  - b. Financial security for public improvements. Financial security shall be provided by the applicant to the Town in the form of cash escrow or letter of credit in an amount not less than 115% of the estimated costs of the public improvements. Financial security will need to be provided by the applicant to the Town prior to official approval/release of the CSM (i.e., Town approval signature on the CSM).
  - c. Financial security for final pavement. A separate financial security shall be provided by the applicant to the Town in the form of cash escrow or letter of credit in an amount not less than 125% of the estimated cost for final pavement. Financial security will need to be provided by the applicant to the Town prior to official approval/release of the CSM (i.e., Town approval signature on the CSM).
  - d. Waiver of special assessment notices and proceedings.
  - e. Promise to pay.

The Public Improvement Agreement should also memorialize requirements for construction observation during construction of the road extension.

5. The Town Subdivision Ordinance has the following requirements for cul-de-sacs:
  - a. *Cul-de-sac streets designed to have one end permanently closed should not normally exceed 600 feet in length, but can be up to 1,000 feet in*

*length provided density is not more than 15 housing units being served by said street.*

The existing Memory Ln in the Windfield Place subdivision is approximately 575 ft. in length. The proposed extension of Memory Ln would result in a temporary cul-de-sac approximately 775 ft. in length and serving up to 7 housing units. Since the cul-de-sac is not intended to have one end permanently closed, it is Staff's opinion that the proposed CSM and extension of Memory Ln would not violate this Town Subdivision Ordinance provision.

Recommendation:

It is Staff's opinion that the proposed CSM may be approved as proposed, subject to the following conditions of approval:

1. The subdivider shall provide the Town a copy of the Winnebago County Stormwater Permit and approved stormwater management plans prior to official approval/release of the CSM (i.e., Town approval signature on the CSM) and prior to commencing construction of the road extension of Memory Ln.
2. Memory Lane Extension Improvement Plans (i.e., road construction plans) shall be reviewed for compliance with the Town Minimum Road Design Standards and approved by the Town Engineer prior to:
  - a. Executing the required Public Improvement Agreement;
  - b. Official approval/release of the CSM (i.e., Town approval signature on the CSM); and
  - c. Commencing construction of the road extension of Memory Ln.
3. The subdivider shall execute a Public Improvement Agreement with the Town and provide the requisite financial security, as approved by the Town Board and in accordance with the Town Subdivision Ordinance, prior to official approval/release of the CSM (i.e., Town approval signature on the CSM) and prior to commencing construction of the road extension of Memory Ln.

**SUGGESTED MOTION**

*Motion to recommend approval of the CSM Review Application submitted by Scott Andersen on behalf of the Arden & June Schroeder Joint Revocable Trust with the three (3) listed Staff Recommendations & Conditions, and the listed permits, plans, & agreements are to be presented to Town Staff for review no later than 120 days after receiving Town Board approval.*

Respectfully Submitted,  
Kelsey