

**Village of Weston, Wisconsin  
AGENDA ITEM COVERSHEET  
Requested for Official Consideration and Review**

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**REQUEST FROM: JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT**

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**ITEM DESCRIPTION: RESOLUTION NO. 15-021 A RESOLUTION ADOPTING THE PROPOSED ROAD RIGHT-OF-WAY DEDICATION FOR ANASTASIA DRIVE IDENTIFIED IN THE PROPOSED CERTIFIED SURVEY MAP FOR 5907 SHOREY AVENUE, PIN 192 2808 342 0985. (RCSM-5-15-1512)**

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**DATE/MTG: BOARD OF TRUSTEES; MONDAY, SEPTEMBER 21, 2015**

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**POLICY QUESTION: Should the Board of Trustees accept the dedication of Anastasia Drive by adopting Resolution No. 15-021?**

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**RECOMMENDATION TO: I make a motion to approve Resolution No. 15-021 as recommended and presented by the Village Plan Commission.**

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**LEGISLATIVE ACTION:**

- |   |                                    |  |
|---|------------------------------------|--|
| <input type="checkbox"/> Acknowledge/Approve  | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation          |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy    | <input type="checkbox"/> Reports               |
| <input type="checkbox"/> Expenditure          | <input type="checkbox"/> Procedure | <input checked="" type="checkbox"/> Resolution |
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**FISCAL IMPACT ANALYSIS:** Minor impact to the DPW annual budget for maintenance and plowing. Some of this will be offset by the minor increase in road tax aids the village will receive for the addition of the street to our street network.

- Budget Line Item: \_\_\_\_\_
- Budget Line Item: \_\_\_\_\_
- Budgeted Expenditure: \_\_\_\_\_
- Budgeted Revenue: \_\_\_\_\_
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**STATUTORY / RULEMAKING / POLICY REFERENCES:**

- WI Statue: Chapter 236 (Wis. Stat. §236.34) \_\_\_\_\_
- WI Administrative Code: \_\_\_\_\_
- Case Law / Legal: \_\_\_\_\_
- Municipal Code: Chapter 74 Subdivision Regulations \_\_\_\_\_
- Municipal Rules: \_\_\_\_\_
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**PRIOR REVIEW:** Reviewed and recommended for approval by the Plan Commission at their meeting on September 14, 2015

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**BACKGROUND:** The applicant has submitted the attached 4 lot Certified Survey Map which contains the right of way for a new street, Anastasia Drive. Due to the request for the Village to take over this street, both the Village Plan Commission and Board need to review and approve the street dedication. In this particular situation, there was also a need for a rezone (REZN-8-15-1527). The Plan Commission has recommended for approval the rezone request and the acceptance of the dedication of the ROW for Anastasia Drive.

- Supplemental Briefer for Agenda Items under Consideration?
- Attachments?
-

**Village of Weston, Wisconsin**  
**AGENDA ITEM LEGISLATIVE ANALYSIS**  
**Supplemental Briefer for Agenda Items under Consideration**

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From: Jennifer Higgins, Director of Planning and Development  
Date/Mtg: Monday, September 21 2015/Village Board  
Re: RESOLUTION NO. 15-021 A RESOLUTION ADOPTING THE PROPOSED ROAD RIGHT-OF-WAY DEDICATION FOR ANASTASIA DRIVE IDENTIFIED IN THE PROPOSED CERTIFIED SURVEY MAP FOR 5907 SHOREY AVENUE, PIN 192 2808 342 0985. (RCSM-5-15-1512)

1. Policy Question:

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Should the Village Board accept the road dedication of Anastasia Drive?

2. Purpose:

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The purpose of asking this question is Village staff have received the request, via the CSM, of a road right-of-way dedication for Anastasia Drive.

3. Background:

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Developer, Reedy Builders, has proposed a 4 lot land division by Certified Survey Map on property accessed from Shorey Avenue approximately 1/3 mile east of Heeren. The developer originally acquired the property to develop as a platted subdivision, Carisbrooke Estates, but the cost of extending municipal utility service made the more dense development cost prohibitive. The smaller development with large lots must still be served by a public street which the developer is obligated to construct at their cost. Complete streets considerations have been met to the extent that they are applicable to this situation. A ghost plat has been also provided to show how the temporary cul-de-sac could be removed at a later date and Anastasia Dr could become a through street along with Elizabeth Way.

On Monday, August 3rd the PIC Committee made a recommendation, following staff reviews and approval, to approve the proposed infrastructure plans as submitted for the right of way shown on the CSM. The Board approved their recommendation the same evening. The infrastructure plans were brought to the PC for acknowledgement last month in anticipation of the rezone request and this request for the Village to accept the street as Village right-of-way via the CSM approval process.

This rezone request is only for a small portion of the overall property and is being done to allow for the two smaller (under 2 acres) parcels to be able to be created via this CSM. Prior to the 2015 rezone of the Village, this entire parcel was zoned SR Suburban Residential which would have allowed for the owner to create 1 acre lots. This is why the original lot with the existing home was created in such a way to make two 1 acre lots. The PIC recommended taking on the street as a Village street by the approvals of the infrastructure plans at their August 3rd meeting. Staff sees no issues with accepting the road right of way or for the rezone as long as the provisions set forth by Public Works related to the street construction are followed in the Development Agreement.

The PC at their meeting on 9/14/15 have reviewed the CSM and the street dedication request. They have recommended both for approval. To accept the street as road right-of-way, the Board is being asked to adopt Resolution No. 15-21 and Ordinance No. 15-020 at their meeting on 9/21. The CSM would not be signed and recorded until Public Works signs off that the road has been constructed to Village standards. The Draft Development Agreement for this project was reviewed and approved by PIC on 9/8/15 and PC on 9/14/15 and is now also on the Village Board agenda on 9/21/15 for final approvals.

4. Issue Analysis:

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Plan Commission and the Village Board are required by Village ordinances to review and approve all certified survey

maps which contain a road right of way dedication before they can be recorded. The Board is required to accept the road right of way dedication by the adoption of a resolution. A draft resolution, Resolution No. 15-21, has been drafted, and recommended for approval by the PC, which lays out the following conditions of the road right of way dedication. The conditions are as follows:

1. The execution of a development agreement with the Village that assures the public improvement (primarily the street) will be constructed to Village standards, at no cost to the Village. The agreement will address the timetable for completion of the street and require an acceptable security from the developer (bond or letter of credit), in accordance with the Village's subdivision code; and
2. That the associated CSM attached hereto (photocopy), be and the same is hereby approved; and
3. Payment of \$976 in parkland dedication fees for the creation of four single family lots; and
4. That the Village President and Village Clerk, upon full payment of, if applicable, all fees, taxes, and special assessments and verification by the Public Works Director that Anastasia Drive has been constructed to Village standards are directed to execute signatures on behalf of the Village of Weston upon the Certified Survey Map documents as required.

As #4 states, the CSM will not be recorded and therefore Anastasia Drive become a Village street until DPW gives Planning and Development the green light that the road has been constructed to village standards.

Due to the time of year we are in, the PC extend the deadlines out from 6 months to 9 months for completion to ensure the developer has time to finish the street upgrades. This was adjusted on both the Resolution and the Ordinance document that the Board is being asked to adopt on 9/21/15. Any other conditions the Board wants to make can be added prior to the signing of the documents.

#### 5. Fiscal Impact:

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There will be a minor impact to the Public Works Department annual budget for maintenance and plowing. Some of this will be offset by the minor increase in road tax aids we will receive from the addition of this street to our street network.

#### 6. Statutory References:

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Wis. Stat. §236.34

#### 7. Prior Review:

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The entire Reedy project (rezone, CSM, Development Agreement, and Street Infrastructure Plans) have been reviewed by DPW Staff, Planning & Development Staff and Attorney Yde.

Rezone – PC 9/14/15 and Board 9/21/15

CSM – PC 9/14/15 and Board 9/21/15

Street Infrastructure Plans – PIC 8/3/15, Board 8/3/15 and PC 8/10/15

Development Agreement – PIC 9/8/15, PC 9/14/15 and Board 9/21/15

#### 8. Policy Choices:

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1. Recommend approval with the conditions as presented by staff/PC and stated in draft Resolution No. 15-21.
2. Recommend approval with the conditions as presented by staff/PC and stated in draft Resolution No. 15-21 plus additional conditions as defined and added by the PC.
3. Recommend approval with no conditions.

4. Recommend denial of the CSM and the ROW dedication for Anastasia Drive.

9. Recommendation:

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I recommend that the Village Board of Trustees approve Resolution 15-021 and by doing so approve the CSM and accept the dedication of Anastasia Drive as displayed on the CSM, subject to the following conditions:

1. The execution of a development agreement with the Village that assures the public improvement (primarily the street) will be constructed to Village standards, at no cost to the Village. The agreement will address the timetable for completion of the street and require an acceptable security from the developer (bond or letter of credit), in accordance with the Village's subdivision code; and
2. That the associated CSM attached hereto (photocopy), be and the same is hereby approved; and
3. Payment of \$976 in parkland dedication fees for the creation of four single family lots; and
4. That the Village President and Village Clerk, upon full payment of, if applicable, all fees, taxes, and special assessments and verification by the Public Works Director that Anastasia Drive has been constructed to Village standards are directed to execute signatures on behalf of the Village of Weston upon the Certified Survey Map documents as required.

10. Legislative Action:

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I recommend that the Village Board of Trustees approve Resolution 15-021 and by doing so approve the CSM and accept the dedication of Anastasia Drive as displayed on the CSM, subject to the following conditions:

1. The execution of a development agreement with the Village that assures the public improvement (primarily the street) will be constructed to Village standards, at no cost to the Village. The agreement will address the timetable for completion of the street and require an acceptable security from the developer (bond or letter of credit), in accordance with the Village's subdivision code; and
2. That the associated CSM attached hereto (photocopy), be and the same is hereby approved; and
3. Payment of \$976 in parkland dedication fees for the creation of four single family lots; and
4. That the Village President and Village Clerk, upon full payment of, if applicable, all fees, taxes, and special assessments and verification by the Public Works Director that Anastasia Drive has been constructed to Village standards are directed to execute signatures on behalf of the Village of Weston upon the Certified Survey Map documents as required.

11. Attachments:

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1. Resolution No. 15-21 A *RESOLUTION ADOPTING THE PROPOSED ROAD RIGHT-OF-WAY DEDICATION FOR ANASTASIA DRIVE IDENTIFIED IN THE PROPOSED CERTIFIED SURVEY MAP FOR 5907 SHOREY AVENUE, PIN 192 2808 342 0985 (RCSM-5-15-1512)*



**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**

**RESOLUTION NO. 15-021**

**A RESOLUTION ADOPTING THE PROPOSED ROAD RIGHT-OF-WAY DEDICATION FOR ANASTASIA DRIVE IDENTIFIED IN THE PROPOSED CERTIFIED SURVEY MAP FOR 5907 SHOREY AVENUE, PIN 192 2808 342 0985 (RCSM-5-15-1512)**

**WHEREAS**, Chris Reedy, Reedy Builders, Inc., as owner of a parcel located at 5907 Shorey Avenue, (PIN 192 2808 342 0985, parcel number 62.342808.6.11) presented a certified survey map (hereafter the “associated CSM”, attached hereto as Exhibit A) to the Village of Weston Board of Trustees as prepared by Timothy G. Vreeland, a registered land surveyor; and

**WHEREAS**, the Village of Weston Plan Commission met on September 14, 2015 and did review and determined the associated CSM meets the requirements of Chapter 74 Subdivision Regulations and Chapter 94 Zoning; and

**WHEREAS**, at this same meeting, the Village of Weston Plan Commission recommend in favor of adoption of said associated CSM; and

**WHEREAS**, the Village of Weston Plan Commission does recommend approval of said associated CSM, subject to the following conditions:

1. The execution of a development agreement with the Village that assures the public improvement (primarily the street) will be constructed to Village standards, at no cost to the Village. The agreement will address the timetable for completion of the street and require an acceptable security from the developer (bond or letter of credit), in accordance with the Village’s subdivision code; and
2. That the associated CSM attached hereto (photocopy), be and the same is hereby approved; and
3. Payment of \$976 in parkland dedication fees for the creation of four single family lots; and
4. That the Village President and Village Clerk, upon full payment of, if applicable, all fees, taxes, and special assessments and verification by the Public Works Director that Anastasia Drive has been constructed to Village standards are directed to execute signatures on behalf of the Village of Weston upon the Certified Survey Map documents as required.

**WHEREAS**, a majority of the full Village Board of Trustees find the associated CSM is found to be in the public interest.

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Trustees for the Village of Weston hereby adopts the recommendation of the Plan Commission to approve the associated CSM, subject to the following conditions:

1. The execution of a development agreement with the Village that assures the public improvement (primarily the street) will be constructed to Village standards, at no cost to the Village. The agreement will address the timetable for completion of the street and require an acceptable security from the developer (bond or letter of credit), in accordance with the Village’s subdivision code; and
2. That the associated CSM attached hereto (photocopy), be and the same is hereby approved; and
3. Payment of \$976 in parkland dedication fees for the creation of four single family lots; and

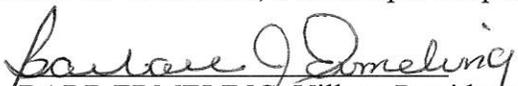
2. That the associated CSM attached hereto (photocopy), be and the same is hereby approved; and
3. Payment of \$976 in parkland dedication fees for the creation of four single family lots; and
4. That the Village President and Village Clerk, upon full payment of, if applicable, all fees, taxes, and special assessments and verification by the Public Works Director that Anastasia Drive has been constructed to Village standards are directed to execute signatures on behalf of the Village of Weston upon the Certified Survey Map documents as required.

and by doing so also confirms the dedication of Anastasia Drive as identified in Exhibit A as dedicated Village right of way.

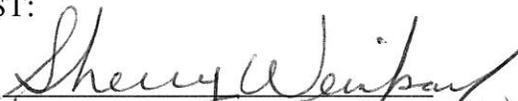
BE IT FURTHER RESOLVED, per Sec. 74.131(d) and (e) the associated CSM shall be recorded by the subdivider or the subdivider's agent at the Marathon County Register of Deeds within nine (9) months of the date of approval and shall file one copy of the recorded associated CSM with the Village Planning and Development Department within thirty (30) days of recording at the Marathon County Register of Deeds.

**PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WESTON**, at a regular meeting thereof, this 21<sup>st</sup> day of the month of September, 2015.

VILLAGE OF WESTON, a Municipal Corporation of the State of Wisconsin.

By:   
BARB ERMELING, Village President

ATTEST:

By:   
SHERRY WEINKAUF, Village Clerk

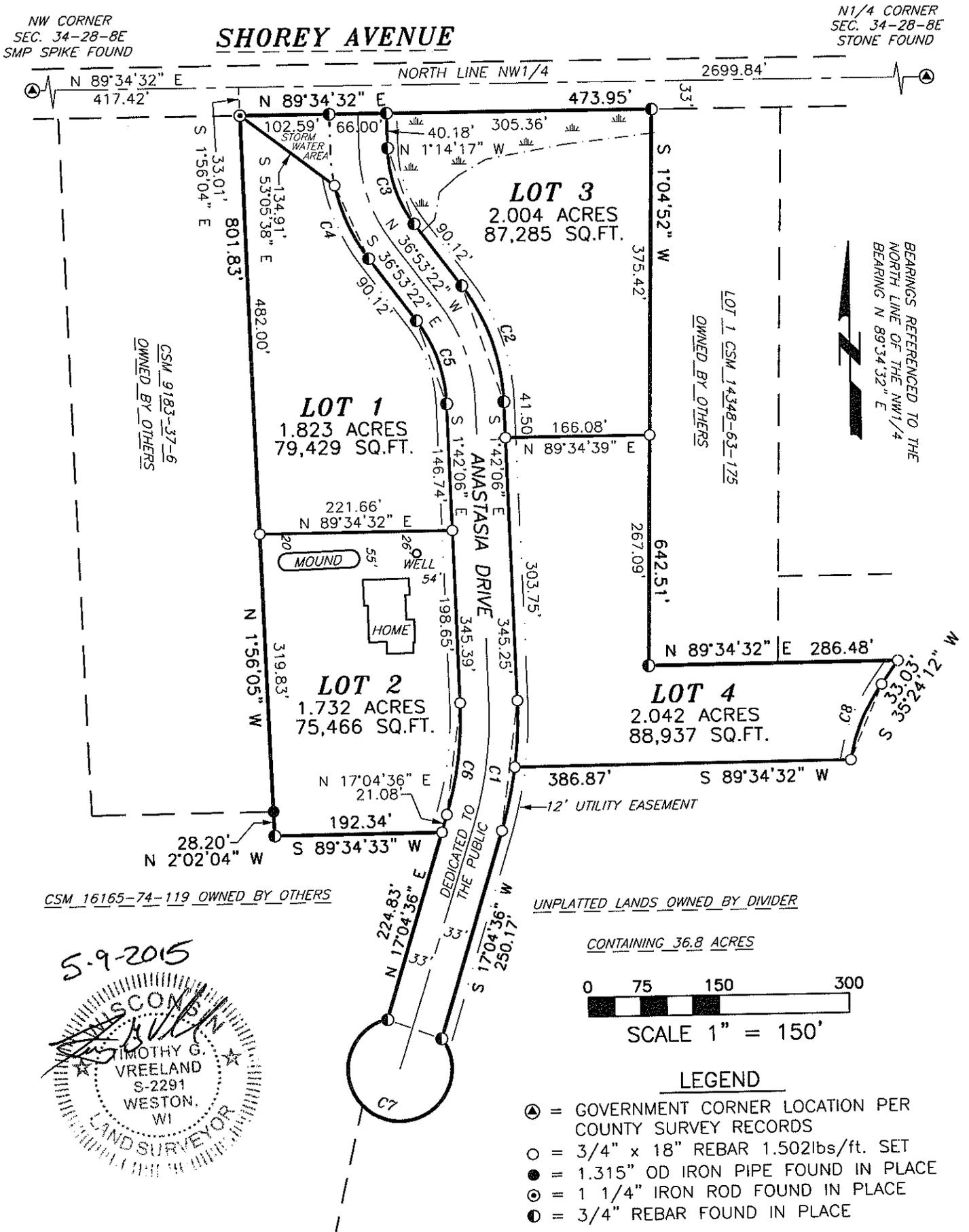
# CERTIFIED SURVEY MAP

**MARATHON COUNTY NO. \_\_\_\_\_ VOL. \_\_\_\_\_ PAGE \_\_\_\_\_**

PART OF THE NW1/4 NW1/4, SECTION 34, TOWNSHIP 28 NORTH,  
RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.

<b>VREELAND ASSOCIATES, INC.</b> 6103 DAWN STREET WESTON, WI. 54476 PH (715) 241-0947 OR TOLL FREE (866) 693-3979 FAX (715) 241-9826 vreeland@dwave.net	PREPARED FOR: <h2 style="text-align: center; margin: 0;">CHRIS REEDY</h2>
FILE #: R-247 REEDY 4 LOTS	DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND

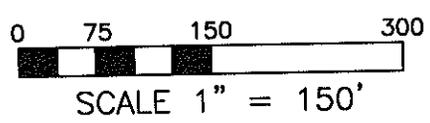
SHEET 1 OF 3 SHEETS



CSM 16165-74-119 OWNED BY OTHERS

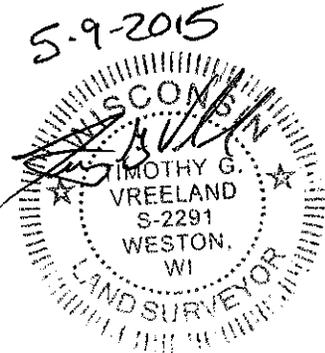
UNPLATTED LANDS OWNED BY DIVIDER

CONTAINING 36.8 ACRES



**LEGEND**

- ⊙ = GOVERNMENT CORNER LOCATION PER COUNTY SURVEY RECORDS
- = 3/4" x 18" REBAR 1.502lbs/ft. SET
- = 1.315" OD IRON PIPE FOUND IN PLACE
- ⊕ = 1 1/4" IRON ROD FOUND IN PLACE
- ⦿ = 3/4" REBAR FOUND IN PLACE



# CERTIFIED SURVEY MAP

**MARATHON COUNTY NO.** \_\_\_\_\_ **VOL.** \_\_\_\_\_ **PAGE** \_\_\_\_\_

PART OF THE NW1/4 NW1/4, SECTION 34, TOWNSHIP 28 NORTH,  
RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.

SHEET 2 OF 3 SHEETS

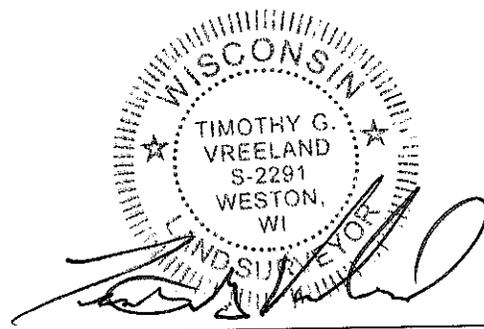
## SURVEYORS CERTIFICATE

I, TIMOTHY G. VREELAND, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF CHRIS REEDY, I SURVEYED, MAPPED AND DIVIDED THAT PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 34; THENCE N 89°34'32" E ALONG THE NORTH LINE OF THE NORTHWEST QUARTER 417.42 FEET; THENCE S 1°56'04" E 33.01 FEET TO THE SOUTH LINE OF SHOREY AVENUE AND TO THE POINT OF BEGINNING; THENCE N 89°34'32" E ALONG THE SOUTH LINE OF SHOREY AVENUE 473.95 FEET; THENCE S 1°04'52" W ALONG THE WEST LINE OF CERTIFIED SURVEY MAP NUMBER 14348 642.51 FEET; THENCE N 89°34'32" E 286.48 FEET; THENCE S 35°24'12" W 33.03 FEET; THENCE 95.89 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST WHOSE RADIUS IS 216.00 FEET, WHOSE CENTRAL ANGLE IS 25°26'05" AND WHOSE CHORD BEARS S 22°41'09" W 95.10 FEET; THENCE S 89°34'32" W 386.87 FEET; THENCE 74.92 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE WEST WHOSE RADIUS IS 466.00 FEET, WHOSE CENTRAL ANGLE IS 9°12'41" AND WHOSE CHORD BEARS S 12°28'16" E 74.84 FEET; THENCE S 17°04'36" W 250.17 FEET; THENCE 307.04 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTH WHOSE RADIUS IS 60.00 FEET, WHOSE CENTRAL ANGLE IS 293°12'15" AND WHOSE CHORD BEARS N 69°20'18" W 66.05 FEET; THENCE N 17°04'36" E 224.83' FEET; THENCE S 89°34'33" W 192.34 FEET; THENCE N 2°02'04" W 28.20 FEET; THENCE N 1°56'05" W ALONG THE EAST LINE OF CERTIFIED SURVEY MAP NUMBER 9183 801.83 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND USE.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION AND THE CERTIFIED SURVEY MAP THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH SECTION 236.34 OF THE WISCONSIN STATUTES IN SURVEYING, MAPPING AND DIVIDING THE LANDS, CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF THE VILLAGE OF WESTON, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.



TIMOTHY G. VREELAND      P.L.S. 2291

DATED THIS 18TH DAY OF SEPTEMBER, 2013  
REVISED THIS 9TH DAY OF APRIL, 2015

### CURVE DATA

CURVE	LOT	RADIUS	CHORD	I ANGLE	ARC
C1	-	466.00'	S 7°41'15" W 152.05'	18°46'42"	152.73'
	BOUND	" "	S 12°28'16" E 74.84'	9°12'41"	74.92'
	4	" "	S 3°04'55" W 77.72'	9°34'01"	77.81'
C2	3	233.00'	S 19°14'07" E 141.32'	35°18'30"	143.59'
C3	3	147.00'	S 18°39'24" E 91.99'	36°28'00"	93.56'
C4	1	213.00'	S 24°17'36" E 92.90'	25°11'35"	93.66'
C5	1	167.00'	N 19°14'07" W 101.29'	35°18'30"	102.91'
C6	2	400.00'	N 7°41'15" E 130.51'	18°46'42"	131.10'
C7	BOUND	60.00'	N 69°20'18" W 66.05'	293°12'15"	307.04'
C8	4	216.00'	S 22°41'09" W 95.10'	25°26'05"	95.89'

# CERTIFIED SURVEY MAP

MARATHON COUNTY NO. \_\_\_\_\_ VOL. \_\_\_\_\_ PAGE \_\_\_\_\_

PART OF THE NW1/4 NW1/4, SECTION 34, TOWNSHIP 28 NORTH,  
RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.

SHEET 3 OF 3 SHEETS

## OWNERS CERTIFICATE OF DEDICATION

REEDY BUILDERS LLC, A LIMITED LIABILITY CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, DOES HEREBY CERTIFY THAT SAID CORPORATION CAUSED THE LAND DESCRIBED ON THIS MAP TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED ON THIS MAP. REEDY BUILDERS LLC., DOES FURTHER CERTIFY THAT THIS MAP IS REQUIRED TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: VILLAGE OF WESTON. IN WITNESS WHEREOF, THE SAID REEDY BUILDERS LLC., HAS CAUSED THESE PRESENTS TO BE SIGNED BY CHRIS REEDY, AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED ON THIS \_\_\_\_\_, DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
CHRIS REEDY  
REEDY BUILDERS LLC.

STATE OF WISCONSIN)  
MARATHON COUNTY) SS  
PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015, THE ABOVE NAMED CHRIS REEDY TO ME KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC, MARATHON COUNTY, WISCONSIN

MY COMMISSION EXPIRES \_\_\_\_\_

## VILLAGE BOARD RESOLUTION

RESOLVE, THAT THIS MAP IN THE VILLAGE OF WESTON, REEDY BUILDERS LLC., OWNER, IS HEREBY APPROVED BY THE VILLAGE BOARD.

DATE \_\_\_\_\_ APPROVED \_\_\_\_\_  
VILLAGE PRESIDENT

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_  
VILLAGE PRESIDENT

I HEREBY CERTIFY THAT THE FOREGOING IS A COPY OF A RESOLUTION ADOPTED BY THE VILLAGE BOARD OF THE VILLAGE OF WESTON.

DATE \_\_\_\_\_  
VILLAGE CLERK



**Village of Weston, Wisconsin  
AGENDA ITEM COVERSHEET  
Requested for Official Consideration and Review from Plan Commission**

**REQUEST FROM: JENNIFER HIGGINS, PLANNING AND DEVELOPMENT DIRECTOR.**

**ITEM DESCRIPTION: REEDY REQUEST FOR CERTIFIED SURVEY MAP APPROVAL AND ANASTASIA DRIVE ROAD RIGHT OF WAY DEDICATION, ON A PORTION OF 5907 SHOREY AVENUE. (RCSM-5-15-1512)**

**DATE/MTG: PLAN COMMISSION, MONDAY, SEPTEMBER 14, 2015**

**REQUESTED ACTION:** Applicant would like to create 4 residential lots and dedicate Anastasia Drive to the Village and make it part of the Village road right-of-way/street network by the recording of the proposed CSM RCSM-5-15-1512.

**POLICY QUESTION:** Should the Plan Commission recommend the Village Board accept the road dedication of Anastasia Drive?

**RECOMMENDATION:** I make a motion to endorse approval, and recommend to the Trustees, subject to the following conditions and stipulations for the Zoning Administrator listed in the attached staff report and supplemental materials.

**APPLICANT:** Chris Reedy, Reedy Builders, 5907 Shorey Avenue, Weston, WI 54476

**PROPERTY OWNER:** Chris Reedy, Reedy Builders, 5907 Shorey Avenue, Weston, WI 54476

**PROPERTY DESCRIPTION:** 5907 Shorey Avenue. PIN 192 2808 342 0985. Located in Section 34, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin.

**ZONING:** RR-2 Rural Residential – 2 Acre – 2 lots (Lots 1 and 2) are proposed to be rezoned to SF-L so that the CSM can be created. The remainder of the parcel will stay RR-2.

**SURROUNDING LAND USES:** Large Lot single family Residential and Agricultural land

**CRITERIA FOR REVIEW:**

Section 207-6	Meets Criteria?	Notes
1. All standards of this chapter and other village regulations are met.	Yes	The request is consistent with the Village Comprehensive Plan and Village ordinances.
2. Adequate public facilities and utilities are provided.	Yes	Sewer and water is not readily available nearby. The owner is working with Village DPW staff to bring the driveway up to Village Street standards and once complete, the Village will accept as Village road right-of-way.
3. Adequate stormwater and erosion control measures.	N/A	Location for stormwater detention is being provided via the CSM. Lots will be checked for adequate stormwater and erosion control measures at time of building permit issuance.

**Village of Weston, Wisconsin**  
**AGENDA ITEM LEGISLATIVE ANALYSIS**  
**Supplemental Briefer for Agenda Items under Consideration**

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From: Jennifer Higgins, Director of Planning and Development  
Date/Mtg: Monday, September 14, 2015/Plan Commission  
Re: Reedy Request For Certified Survey Map Approval And Anastasia Drive Road Right Of Way Dedication,  
On A Portion Of 5907 Shorey Avenue. (RCSM-5-15-1512)

1. Policy Question:

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Should the Plan Commission recommend the Village Board accept the road dedication of Anastasia Drive?

2. Purpose:

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The purpose of asking this question is to receive guidance and feedback from Village policymakers regarding the "policy question" written out above.

3. Background:

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Developer, Reedy Builders, has proposed a 4 lot land division by Certified Survey Map on property accessed from Shorey Avenue approximately 1/3 mile east of Heeren. The developer originally acquired the property to develop as a platted subdivision, Carisbrooke Estates, but the cost of extending municipal utility service made the more dense development cost prohibitive. The smaller development with large lots must still be served by a public street which the developer is obligated to construct at their cost. Complete streets considerations have been met to the extent that they are applicable to this situation. A ghost plat has been also provided to show how the temporary cul-de-sac could be removed at a later date and Anastasia Dr could become a through street along with Elizabeth Way.

On Monday, August 3rd the PIC Committee made a recommendation, following staff reviews and approval, to approve the proposed infrastructure plans as submitted for the right of way shown on the CSM. The Board approved their recommendation the same evening. The infrastructure plans were brought to the PC for acknowledgement last month in anticipation of the rezone request and this request for the Village to accept the street as Village right-of-way via the CSM approval process.

This rezone request is only for a small portion of the overall property and is being done to allow for the two smaller (under 2 acres) parcels to be able to be created via this CSM. Prior to the 2015 rezone of the Village, this entire parcel was zoned SR Suburban Residential which would have allowed for the owner to create 1 acre lots. This is why the original lot with the existing home was created in such a way to make two 1 acre lots. The PIC recommended taking on the street as a Village street by the approvals of the infrastructure plans at their August 3rd meeting. Staff sees no issues with accepting the road right of way or for the rezone as long as the provisions set forth by Public Works related to the street construction are followed in the Development Agreement.

If recommended for approvals by the PC, the Board will be asked to adopt Resolution No. 15-21 and Ordinance No. 15-020 at their meeting on 9/21. The CSM would not be signed and recorded until Public Works signs off that the road has been constructed to Village standards. The Draft Development Agreement for this project was reviewed and approved by PIC on 9/8/15 and is also on the PC agenda on 9/14/15 prior to going to the Village Board for final approvals.

4. Issue Analysis:

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Plan Commission and the Village Board are required by Village ordinances to review and approve all certified survey maps which contain a road right of way dedication before they can be recorded. The Board is required to accept the

road right of way dedication by the adoption of a resolution. A draft resolution, Resolution No. 15-21, has been drafted which lays out the following conditions of the road right of way dedication. The conditions are as follows:

1. The execution of a development agreement with the Village that assures the public improvement (primarily the street) will be constructed to Village standards, at no cost to the Village. The agreement will address the timetable for completion of the street and require an acceptable security from the developer (bond or letter of credit), in accordance with the Village's subdivision code; and
2. That the associated CSM attached hereto (photocopy), be and the same is hereby approved; and
3. Payment of \$976 in parkland dedication fees for the creation of four single family lots; and
4. That the Village President and Village Clerk, upon full payment of, if applicable, all fees, taxes, and special assessments and verification by the Public Works Director that Anastasia Drive has been constructed to Village standards are directed to execute signatures on behalf of the Village of Weston upon the Certified Survey Map documents as required.

As #4 states, the CSM will not be recorded and therefore Anastasia Drive become a Village street until DPW gives Planning and Development the green light that the road has been constructed to village standards.

One point I want to make for discussion purposes is that due to the timing of the project, we may need to extend the deadlines out from 6 months to 9 or 12 months to ensure they have time to finish the street upgrades. This would need to be adjusted on both the Resolution and the Ordinance document that the Board will be asked to adopt on 9/21/15. Any other conditions the PC or Board wants to make can be added prior to the Board approving and signing of the documents.

5. Fiscal Impact:

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There will be a minor impact to the Public Works Department annual budget for maintenance and plowing. Some of this will be offset by the minor increase in road tax aids we will receive from the addition of this street to our street network.

6. Statutory References:

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Wis. Stat. §236.34

7. Prior Review:

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The entire Reedy project (rezone, CSM, Development Agreement, and Street Infrastructure Plans) have been reviewed by DPW Staff, Planning & Development Staff and Attorney Yde.

Rezone – PC 9/14/15 and Board 9/21/15

CSM – PC 9/14/15 and Board 9/21/15

Street Infrastructure Plans – PIC 8/3/15, Board 8/3/15 and PC 8/10/15

Development Agreement – PIC 9/8/15, PC 9/14/15 and Board 9/21/15

8. Policy Choices:

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1. Recommend approval with the conditions as presented by staff and stated in draft Resolution No. 15-21.
2. Recommend approval with the conditions as presented by staff and stated in draft Resolution No. 15-21 plus additional conditions as defined and added by the PC.
3. Recommend approval with no conditions.
4. Recommend denial of the CSM and the ROW dedication for Anastasia Drive.

9. Recommendation:

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I recommend that the Village of Weston Plan Commission recommends approval of the CSM and accept the dedication of Anastasia Drive as displayed on the CSM, subject to the following conditions:

1. The execution of a development agreement with the Village that assures the public improvement (primarily the street) will be constructed to Village standards, at no cost to the Village. The agreement will address the timetable for completion of the street and require an acceptable security from the developer (bond or letter of credit), in accordance with the Village's subdivision code; and
2. That the associated CSM attached hereto (photocopy), be and the same is hereby approved; and
3. Payment of \$976 in parkland dedication fees for the creation of four single family lots; and
4. That the Village President and Village Clerk, upon full payment of, if applicable, all fees, taxes, and special assessments and verification by the Public Works Director that Anastasia Drive has been constructed to Village standards are directed to execute signatures on behalf of the Village of Weston upon the Certified Survey Map documents as required.

10. Legislative Action:

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I recommend that the Village of Weston Plan Commission recommends approval of the CSM and accept the dedication of Anastasia Drive as displayed on the CSM, subject to the following conditions:

1. The execution of a development agreement with the Village that assures the public improvement (primarily the street) will be constructed to Village standards, at no cost to the Village. The agreement will address the timetable for completion of the street and require an acceptable security from the developer (bond or letter of credit), in accordance with the Village's subdivision code; and
2. That the associated CSM attached hereto (photocopy), be and the same is hereby approved; and
3. Payment of \$976 in parkland dedication fees for the creation of four single family lots; and
4. That the Village President and Village Clerk, upon full payment of, if applicable, all fees, taxes, and special assessments and verification by the Public Works Director that Anastasia Drive has been constructed to Village standards are directed to execute signatures on behalf of the Village of Weston upon the Certified Survey Map documents as required.

11. Attachments:

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1. Resolution No. 15-21 A *RESOLUTION ADOPTING THE PROPOSED ROAD RIGHT-OF-WAY DEDICATION FOR ANASTASIA DRIVE IDENTIFIED IN THE PROPOSED CERTIFIED SURVEY MAP FOR 5907 SHOREY AVENUE, PIN 192 2808 342 0985 (RCSM-5-15-1512)*