



222 Lewis Street  
River Falls, WI 54022

(715) 425-0900  
FAX (715) 425-0915

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**AGENDA  
PLAN COMMISSION  
April 5, 2016 at 6:30 p.m  
City Council Chambers  
222 Lewis Street River Falls, WI 54022**

**CALL TO ORDER/ROLL CALL**

**APPROVAL OF AGENDA/MINUTES**

**NOTE:** Minutes of last Regular Plan Commission Meeting were approved on February 16, 2016

**PUBLIC COMMENTS – Non-Agenda Related Topics**

**CURRENT PLANNING PROJECTS**

1. Stone Brook Townhome Community PUD- - Minor Amendment

**UPDATE AND INFORMATION**

2. Annexation Primer
3. Community Development Monthly Status Report and Building Activity Dashboard

**ADJOURNMENT**

*Council members may be in attendance for informational purposes only.  
No official Council action will be taken.*

Post: River Falls Journal, April 1, 2016  
Post: City Hall Bulletin Boards April 1, 2016



**COMMUNITY DEVELOPMENT DEPARTMENT**  
**MEMORANDUM**

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**TO:** Mayor Toland and Plan Commission Members

**FROM:** Tony Steiner, City Planner *LS*

**DATE:** April 5, 2016

**RE:** Workshop

This is just a heads up for scheduling. We will be doing a joint workshop with the River Falls Park Board starting at 6:00 p.m on Wednesday April 20<sup>th</sup>. The subject of the joint meeting will deal with implementation of the Glen Park Master Plan. This will be followed by our workshop on the South Main Street Corridor Study.

An agenda with details will follow closer to the meeting date. Please let me know in advance if you will not be able to attend and as always if you have questions please call or e-mail me.



**COMMUNITY DEVELOPMENT DEPARTMENT**  
**MEMORANDUM**

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**TO:** Mayor Toland and Plan Commission Members

**FROM:** Tony Steiner, City Planner 

**DATE:** April 5, 2016

**RE:** Stone Brook Townhome Community PUD – Minor Amendment

**BACKGROUND**

In the fall of 2005 the City approved a Specific Implementation Plan for Stone Brook Townhome Community. Subsequently in 2007 the PUD was amended to reduce the number of overall units. Recently Eagle Storage purchased the last lot in the PUD, Lot 27 and has requested a minor change to the approved Specific Implementation Plan (SIP).

**ANALYSIS**

Currently lot 27 of Stone Brook Townhome Community 1<sup>st</sup> Addition has a plat of condominium for the future development of 8 side by side units. The PUD as originally approved had 10 side by side units. This configuration was subsequently amended to 8 side by side units in 2007. Due to market preferences the developer has determined that two 4 plex's would be more marketable. The Plan Commission must determine if the request constitutes a minor or major alteration to the approved PUD. The proposed change does not have a detrimental effect on the layout of the overall development. The road pattern remains the same and there is no net gain or loss of units.

The Developer has reviewed the plans with the Stone Brook Town Home Community Home Owners' Association and has received no objections to the proposed change. Section 17.72.080 (F) states that "any subsequent change or addition to the specific implementation plan shall first be submitted to the Plan Commission and if in the opinion of the Plan Commission such change or addition constitutes a substantial alteration of the general development plan, then the procedure provided in Section 17.72070 shall be required" (New Specific Implementation Plan).

## **STAFF RECOMMENDATION**

This is not the first minor change to a PUD that was approved after the economic downturn. The City has approved a number of minor alterations to aid in development of previously approved PUDs. As noted in the report there are no changes to the roadway and the number of units will remain the same. There may need to be abandonment of sewer and water laterals due to a different configuration of the units and this will need to be coordinated with the Municipal Utility.

Staff recommends that the proposed change be viewed as a minor alteration to the approved PUD. At the end of this report is a resolution for your review and action.

## **CITY PLAN COMMISSION OPTIONS**

1. Approve the resolution as recommended by staff.
2. Approve the resolution with modified recommendations from the Plan Commission
3. Table the item to a later date with just cause
4. Do not approve

## **EXHIBITS**

1. Resolution regarding amendment to Specific Implementation Plan for Stone Brook Townhome Community PUD
2. General Vicinity Map
3. Elevations submitted by applicant

**RESOLUTION No PC 1601  
REGARDING AMENDMENT TO THE  
SPECIFIC IMPLEMENTATION PLAN  
STONE BROOK TOWNHOME COMMUNITY PLANNED UNIT  
DEVELOPMENT**

**WHEREAS**, Stone Brook Townhome Community Planned Unit Development (PUD) was approved by the City of River Falls in 2005; and

**WHEREAS**, Municipal Code Section 17.72.080 requires that subsequent changes to the Specific Implementation Plan be submitted to the Plan Commission for review; and

**WHEREAS**, vacant Lot 27 of Stone Brook Townhome Community 1<sup>st</sup> Addition has been sold to a new developer; and

**WHEREAS**, the Specific Implementation plan Lot 27 currently has a plat of condominium for eight side by side units; and

**WHEREAS**, the current Developer would like to develop Lot 27 with two independent 4 plex's units; and

**WHEREAS**, the proposed change does not increase or decrease in the number of units approved on the specific Implementation Plan; and

**WHEREAS**, the Plan Commission has found that the proposed change constitutes a minor alteration.

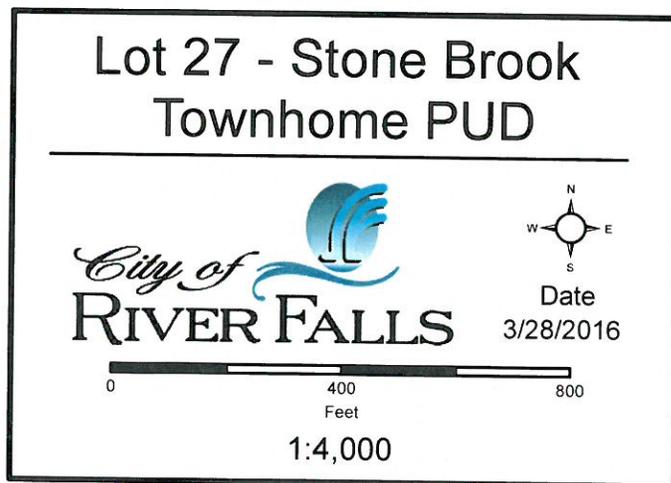
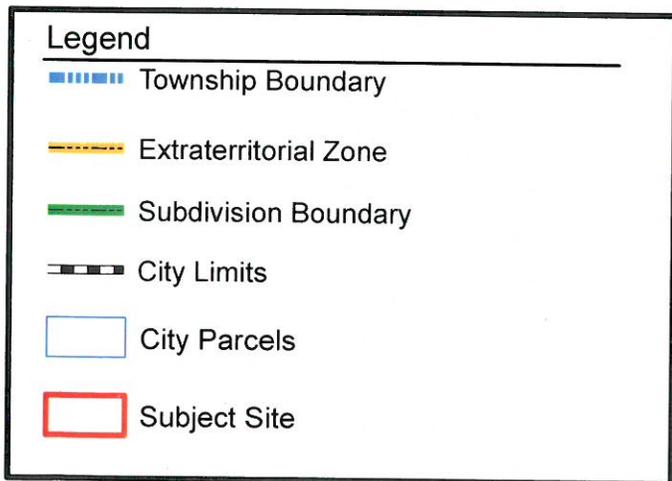
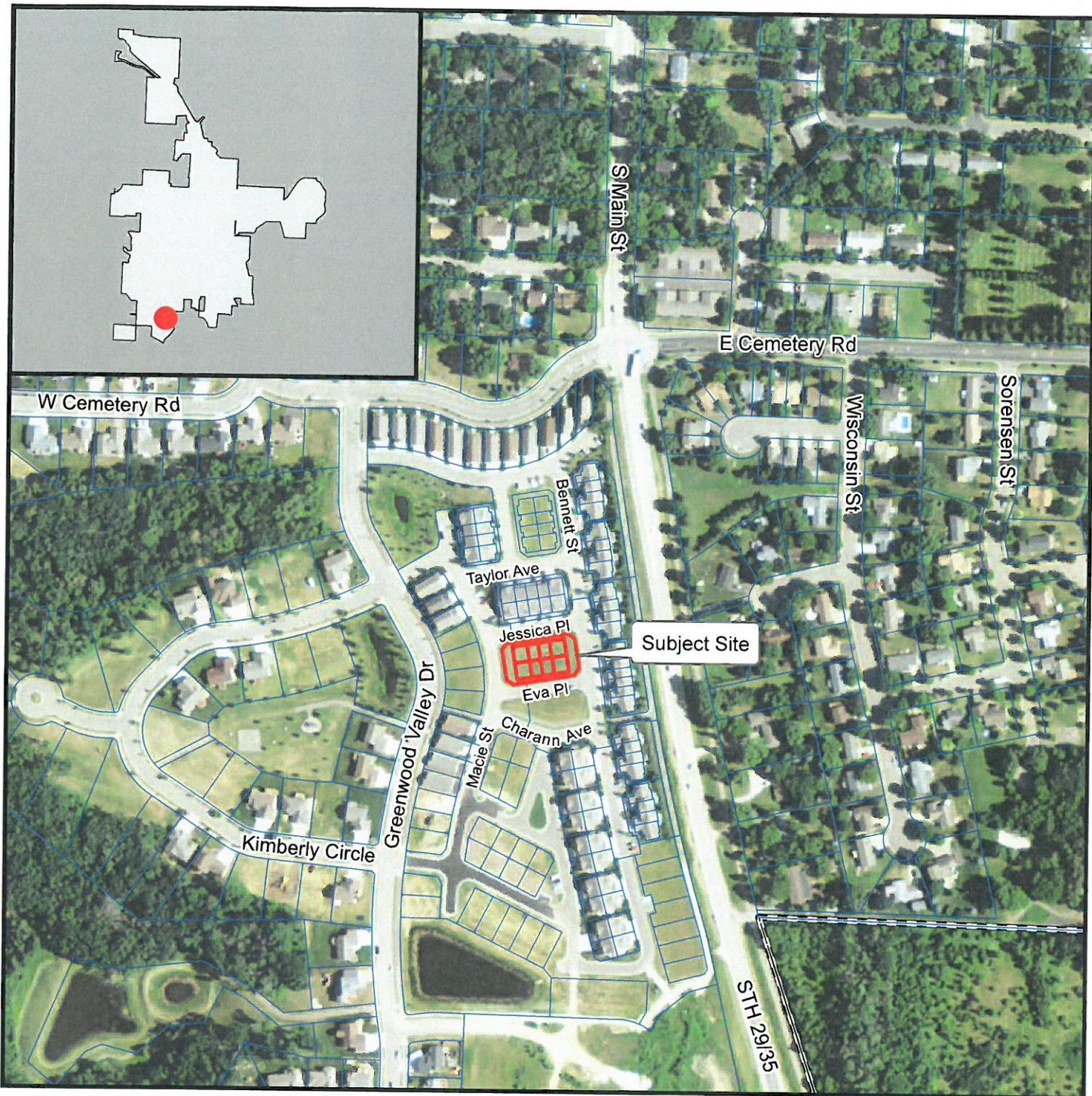
**NOW, THEREFORE, BE IT RESOLVED** that the Plan Commission for the City of River Falls hereby approves an amendment to the Specific Implementation Plan to allow The substitution of two independent 4 plex's in lieu of the previously approved 8 side by side units on Lot 27 of Stone Brook Townhome Community 1<sup>st</sup> Addition.

Dated this 5<sup>th</sup> day of April 2016

\_\_\_\_\_  
Dan Toland, Mayor

ATTEST:

\_\_\_\_\_  
Lu Ann Hecht, City Clerk



LOCATION SKETCH  
CITY OF RIVER FALLS



T27N, R19W

LEGEND

- FOUND ALUMINUM COUNTY SECTION CORNER MONUMENT
- FOUND 1" OUTSIDE DIAMETER IRON PIPE
- FOUND 2" OUTSIDE DIAMETER IRON PIPE
- 80T 3/4" OUTSIDE DIAMETER X 1/2" LONG IRON PIPE WEIGHING 3.15 LBS. PER LINEAR FOOT
- ALL OTHER LOT CORNERS MONUMENTED WITH 1" OUTSIDE DIAMETER X 1/2" LONG IRON PIPE WEIGHING 1.13 LBS. PER LINEAR FOOT.

MUNICIPAL UTILITY EASEMENT DEDICATED TO RIVER FALLS MUNICIPAL UTILITIES

**MUNICIPAL UTILITY EASEMENT DEFINED**  
An underground easement for the construction and maintenance of all necessary overhead, underground or surface public utilities, including but not limited to electric, gas, water, sewer, storm, or other conduits that interfere with installation, function, or maintenance of utility systems. Public utilities shall not be held liable for any damage to prohibited obstructions.

V.W. VARIABLE WIDTH

L.S.D. = 802.0 LOWEST BUILDING OPENING, THE LOWEST WINDOW OR DOOR ELEVATION FOR LOTS 24 THRU 27.

ALL ELEVATIONS ARE REFERENCED TO THE N.A.S.D. NORTH AMERICAN VERTICAL DATUM OF 1988.

**NOTE FOR TRAVELERS**

**ACCESS RESTRICTION NOTE**

ALL LOTS AND EASEMENTS HEREBY RESTRICTED SO THAT NO OWNER, POSSESSOR, USER, LICENSEE, OR OTHER PERSON MAY HAVE ANY RIGHT OF DIRECT OR INDIRECT ACCESS FROM OR TO ANY HIGHWAY WITHIN THE RIGHT-OF-WAY OF U.S.A. 52. IT IS EXPRESSLY INTENDED THAT THIS RESTRICTION SHALL BE FOR THE BENEFIT OF THE PUBLIC AS PROVIDED IN 236.16, STATE, AND SHALL BE ENFORCEABLE BY THE DEPARTMENT OF ITS AGENCIES. ANY ACCESS SHALL BE ALLOWED ONLY BY SPECIAL EXCEPTION ANY ACCESS ALLOWED BY SPECIAL EXCEPTION SHALL BE CONFIRMED AND GRANTED ONLY THROUGH THE DRIVEWAY PERMITTING PROCESS AND ALL FORMS ARE AVAILABLE.

**HIGHWAY SETBACK LINE NOTE**

THE HIGHWAY SETBACK LINE (FOR TRUCKS) SHALL BE 45 FEET FROM THE HIGHWAY RIGHT-OF-WAY, OR 100 FEET FROM THE HIGHWAY CENTER LINE, WHICHEVER IS THE GREATER DISTANCE. NO BUILDING OR ALLOWED STRUCTURE BETWEEN THE FRONT-CORNER AND THE HIGHWAY SETBACK LINE, IT BEING EXPRESSLY INTENDED THAT THIS RESTRICTION SHALL CONSTITUTE A RESTRICTION FOR THE BENEFIT OF THE PUBLIC ACCORDING TO SECTION 52.03, WISCONSIN STATUTES AND SHALL BE ENFORCEABLE BY THE DEPARTMENT OF TRANSPORTATION. CONTACT THE WISCONSIN DEPARTMENT OF TRANSPORTATION DISTRICT OFFICE FOR MORE INFORMATION. THE PHONE NUMBER MAY BE OBTAINED BY CONTACTING YOUR COUNTY HIGHWAY DEPARTMENT.

**NOTE**

THE LOTS OF THIS LAND DIVISION MAY EXCEED HIGHS AT LEVELS EXCEEDING LEVELS IN 8. TRAVIS 4024. TABLE 1. THESE LEVELS ARE BASED ON FEDERAL STAGNANT. THE DEPARTMENT OF TRANSPORTATION IS NOT RESPONSIBLE FOR ANY DAMAGES FROM EXISTING STATE TRUNK HIGHWAYS OR CONNECTING HIGHWAYS, IN THE ABSENCE OF ANY NOTICE BY THE DEPARTMENT TO THE HIGHWAYS THROUGH-LINE CAPACITY.

**SURVEYOR'S CERTIFICATE**

I, DOUGLAS J. ZAHLER, REGISTERED WISCONSIN LAND SURVEYOR, HEREBY CERTIFY THAT IN FULL COMPLIANCE WITH THE PROVISIONS OF CHAPTER 230 OF THE WISCONSIN STATUTES AND THE SUBDIVISION REGULATIONS OF THE CITY OF RIVER FALLS, AND UNDER THE DIRECTION OF SPRING BROOK TOWNHOME COMMUNITY 1ST ADDITION THAT SUCH PLAT CORRECTLY REPRESENTS ALL EXISTING BOUNDARIES AND THE SUBDIVISION OF THE LAND SURVEYED; AND THAT THIS PLAT IS LOCATED IN PART OF THE NW 1/4 OF THE SW 1/4 AND PART OF THE NW 1/4 OF THE SE 1/4, ALL IN SECTION 12, T27N, R19W, CITY OF RIVER FALLS, PIERCE COUNTY, WISCONSIN; ALSO BEING PART OF OUTLOT 2 OF THE PLAT OF STONE BROOK TOWNHOME COMMUNITY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 12 THENCE ALONG EAST-WEST QUARTER LINE OF SAID SECTION 089°45'30" E A DISTANCE OF 2232.2 FEET; THENCE ALONG THE CONTINUING ALONG SAID WEST LINE OF THE HIGHWAY 80°33'11" E A DISTANCE OF 194.00 FEET; THENCE ALONG THE WEST LINE OF STATE TRUNK HIGHWAY 20 305°43'43" E A DISTANCE OF 358.63 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE OF THE HIGHWAY 80°33'11" E A DISTANCE OF 221.18 FEET TO THE POINT OF CURVE OF A 4835.5 FOOT RADIUS CURVE CONCAVE EASTWARD WITH A CENTRAL ANGLE OF 01°24'30" A CHORD THAT BEARS 114.48 FEET; THENCE 87°52'10" W A DISTANCE SOUTHWESTERLY ALONG ARC OF SAID CURVE OF 103.32 FEET; THENCE 87°52'10" W A DISTANCE OF 15.00 FEET; THENCE 88°24'48" E A DISTANCE OF 48.17 FEET; THENCE 87°26'11" W A DISTANCE OF 48.52 FEET; THENCE 87°52'10" W A DISTANCE OF 10.78 FEET; THENCE 80°34'14" W A DISTANCE OF 16.63 FEET; THENCE 87°52'10" W A DISTANCE OF 73.74 FEET; THENCE 88°24'48" E A DISTANCE OF 17.88 FEET; THENCE 87°52'10" W A DISTANCE OF 38.83 FEET; THENCE 88°24'48" E A DISTANCE OF 14.24 FEET; THENCE 87°52'10" W A DISTANCE OF 24.88 FEET; THENCE 88°24'48" E A DISTANCE OF 48.88 FEET; THENCE 87°52'10" W A DISTANCE OF 27.36 FEET; THENCE 87°52'10" W A DISTANCE OF 30.00 FEET; THENCE 88°24'48" E A DISTANCE OF 19.89 FEET; THENCE 87°52'10" W A DISTANCE OF 70.00 FEET; THENCE 88°24'48" E A DISTANCE OF 87.00 FEET; THENCE 87°52'10" W A DISTANCE OF 15.00 FEET; THENCE 88°24'48" E A DISTANCE OF 15.00 FEET; THENCE 87°52'10" W A DISTANCE OF 24.84 FEET; THENCE 88°24'48" E A DISTANCE OF 47.02 FEET; THENCE 87°52'10" W A DISTANCE OF 158.87 FEET; THENCE 88°24'48" E A DISTANCE OF 18.00 FEET; THENCE 87°52'10" W A DISTANCE OF 30.83 FEET; THENCE 87°52'10" W A DISTANCE OF 18.00 FEET; THENCE 88°24'48" E A DISTANCE OF 22.00 FEET; THENCE 87°52'10" W A DISTANCE OF 88.00 FEET TO THE POINT OF BEGINNING. CONTAINING 2.59 ACRES OF LAND.

DATED THIS 31ST DAY OF July 2026  
Douglas J. Zahler

DOUGLAS J. ZAHLER  
S & W LAND SURVEYING, INC.  
2820 ENLOS STREET  
HUDSON, WI 54018



FINAL PLAT OF: **STONE BROOK TOWNHOME COMMUNITY 1ST ADDITION**

LOCATED IN PART OF THE NW 1/4 OF THE SW 1/4 AND PART OF THE NW 1/4 OF THE SE 1/4, ALL IN SECTION 12, T27N, R19W, CITY OF RIVER FALLS, PIERCE COUNTY, WISCONSIN; ALSO BEING PART OF OUTLOT 2 OF THE PLAT OF STONE BROOK TOWNHOME COMMUNITY.

PREPARED BY: S&W LAND SURVEYING  
2820 ENLOS STREET  
HUDSON, WI 54018

ENGINEER: ALTHA CONSULTANTS  
2920 ENLOS STREET  
HUDSON, WI 54018

**BASEMENT DATA TABLE**

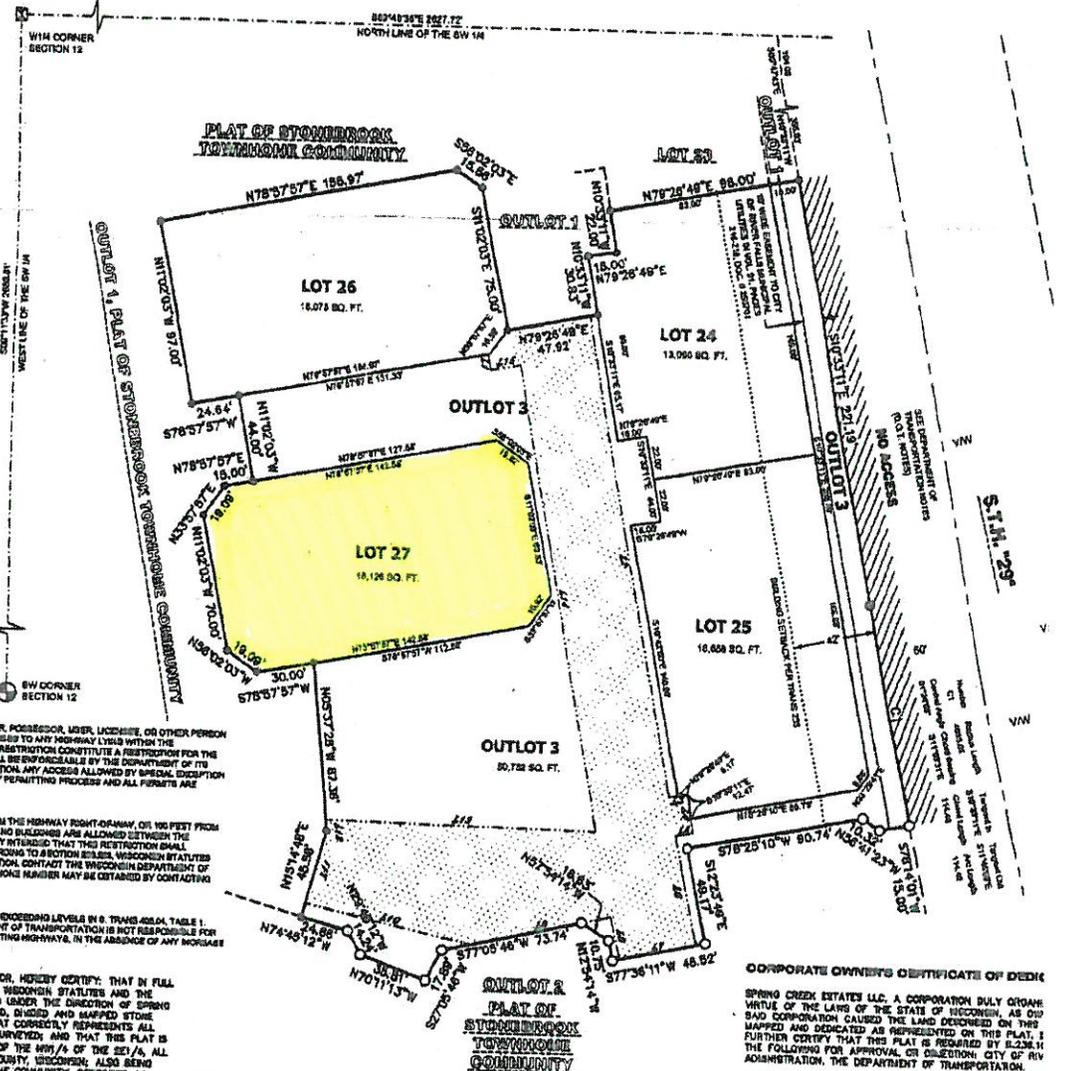
| SECTION | DESCRIPTION | REMARKS |
|---------|-------------|---------|
| 11      | 80°34'14" E | 2.50'   |
| 12      | 87°52'10" W | 22.00'  |
| 13      | 87°52'10" W | 2.50'   |
| 14      | 87°52'10" W | 2.50'   |
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| 99      | 87°52'10" W | 2.50'   |
| 100     | 87°52'10" W | 2.50'   |

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified August 24, 2026

Rena M. Pongy  
Department of Administration

**NOTE:**  
OUTLOT 3 IS SUBJECT TO A BLANKET EASEMENT FOR THE BENEFIT OF ALL LOTS FOR ingress and egress, PRIVY LITTLERS, BRUSHPILE, SIDEWALKS, TRAILS AND PARKING LOTS 24, 25, 26 AND 27 ARE ALSO GRANTED AN EASE OVER OUTLOT 1 OF THE PLAT OF STONE BROOK TOWNHOME COMMUNITY FOR THE SAME. SAID OUTLOTS 1 AND 3 PRO ACCESS TO GREENWOOD VALLEY DRIVE.



**COUNTY TREASURER'S CERTIFICATE**

STATE OF WISCONSIN  
COUNTY OF PIERCE

I, P. LELAND SKOG, BEING THE DULY ELECTED, QUALIFIED AND ACTING TREASURER OF PIERCE COUNTY, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE SHOW NO UNRECORDED TAX SALES AND NO UNPAID TAXES OR SPECIAL ASSESSMENTS AS OF 8/24/26 AFFECTING THE LAND INCLUDED IN THE PLAT OF STONE BROOK TOWNHOME COMMUNITY 1ST ADDITION.

P. Leland Skog  
COUNTY TREASURER

**CONSENT OF CORPORATE MORTGAGEE**

ALLIANCE BANK OF EDNA, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF MINNESOTA, MORTGAGEE OF THE LAND DESCRIBED IN STONE BROOK TOWNHOME COMMUNITY 1ST ADDITION, DOES HEREBY CONSENT TO THE SURVEYING, DIVISION, MAPPING, AND DEDICATION OF THE LAND DESCRIBED ON THIS PLAT, AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATE OF SPRING CREEK ESTATES, LLC, GRANTOR.

IN WITNESS WHEREOF, THE SAID ALLIANCE BANK OF EDNA HAS CAUSED THESE PRESENTS TO BE SIGNED BY BRUNNEN-MANN, VICE PRESIDENT, AT EDNA, MINNESOTA, AND ITS CORPORATE SEAL TO BE HEREIN TO BE AFFIXED.

Brunnen-Mann  
DATE: August 24, 2026

**CORPORATE OWNERS CERTIFICATE OF DEED**

SPRING CREEK ESTATES LLC, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS GRANTOR, DOES HEREBY CERTIFY THAT THE LAND DESCRIBED ON THIS PLAT IS MAPPED AND DEDICATED AS REPRESENTED ON THIS PLAT, AND FURTHER CERTIFY THAT THIS PLAT IS REQUIRED BY 62.36 M.F.C. FOR APPROVAL OR COLLECTION, CITY OF RIVER FALLS ADMINISTRATION, THE DEPARTMENT OF TRANSPORTATION.

IN WITNESS WHEREOF, THE SAID SPRING CREEK ESTATES LLC IS SIGNED BY CHRIS KUSLEK AND COUNTER SIGNED BY DAVID HAYES.

AT River Falls, WISCONSIN, THIS 23rd DAY OF August 2026.

IN THE PRESENCE OF:  
SPRING CREEK ESTATES LLC.

CHRIS KUSLEK  
DAVID HAYES

STATE OF WISCONSIN  
COUNTY OF PIERCE

PERSONALLY CAME BEFORE ME THIS 23rd DAY OF August 2026, the undersigned, a Notary Public, and the above named members of SAID CORPORATION, AND ACKNOWLEDGED THAT INSTRUMENT AS SUCH MEMBERS AS THE DEED OF SAID CORPORATION.

Melissa C. Howe  
NOTARY PUBLIC  
9-30-2007  
MY COMMISSION EXPIRES

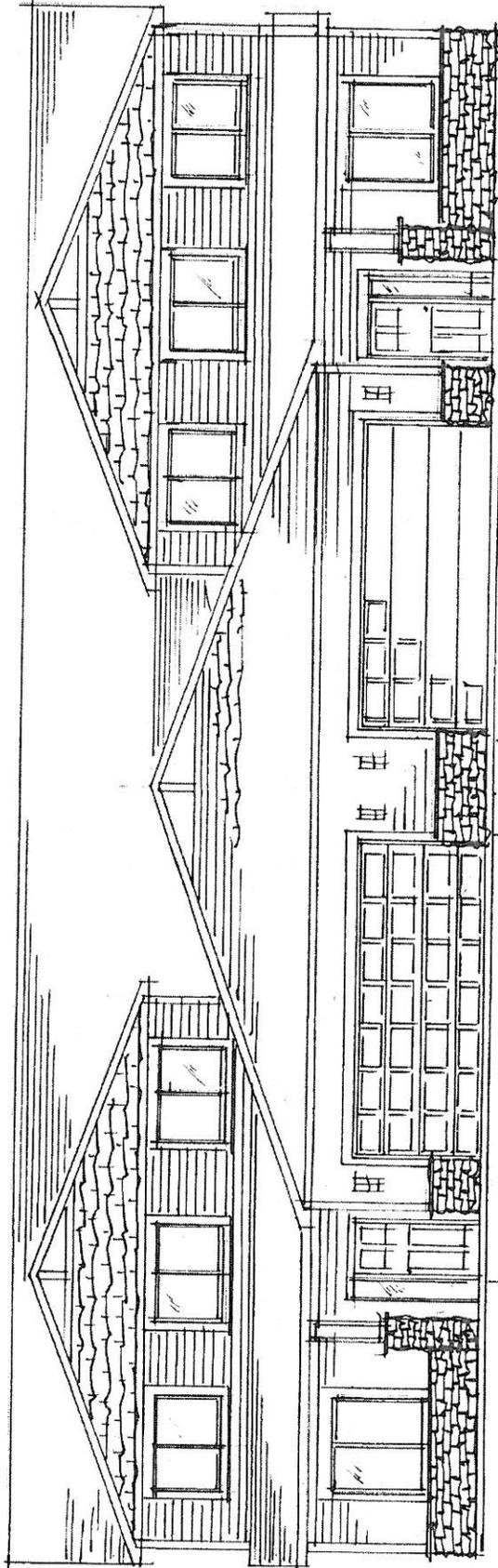
**CITY TREASURER CERTIFICATE**

STATE OF WISCONSIN  
COUNTY OF PIERCE

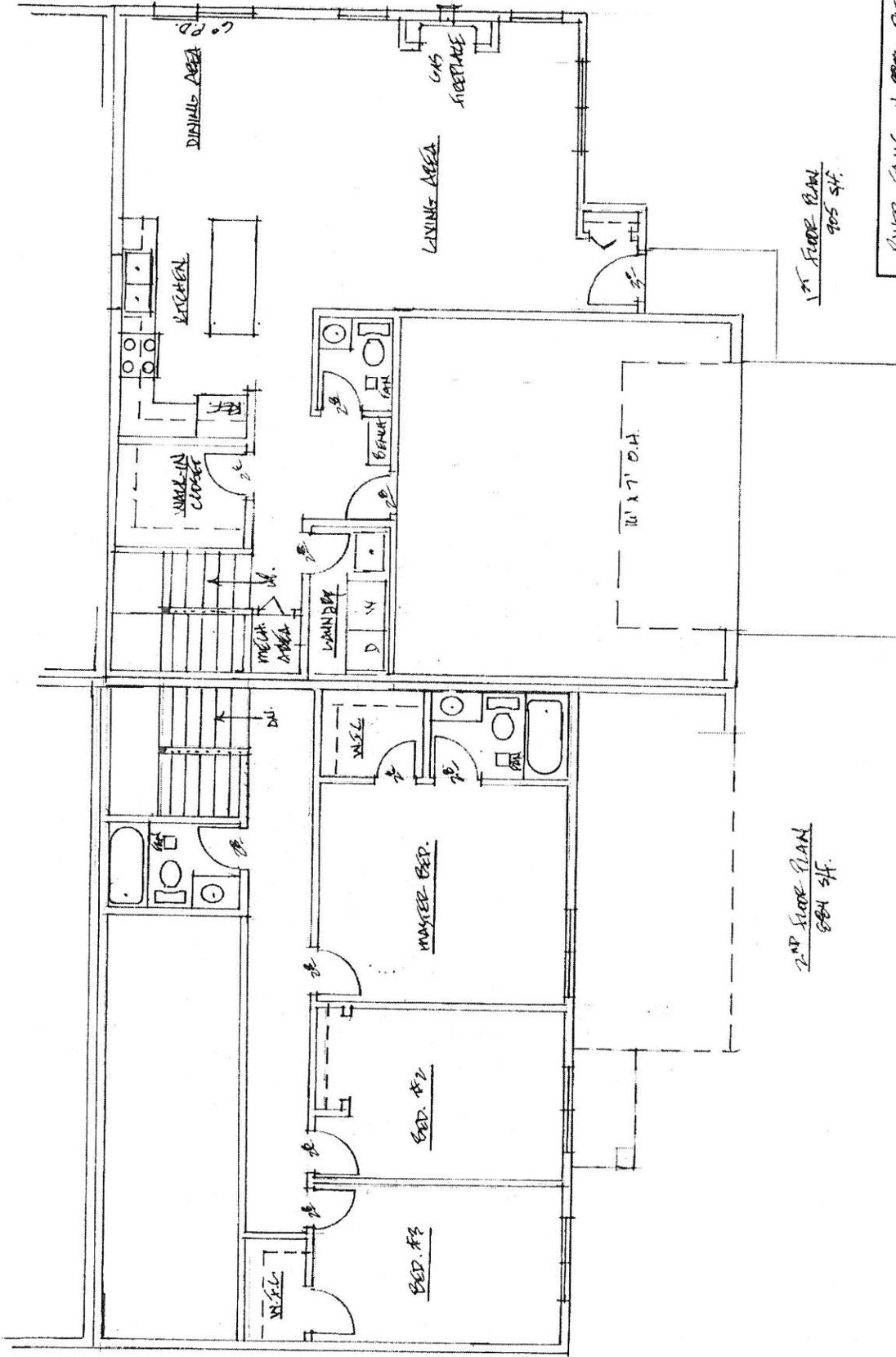
**CITY COUNCIL RESOLUTION**  
RESOLVED, THAT THE PLAT OF STONE BROOK TOWNHOME COMMUNITY 1ST ADDITION IN THE CITY OF

STATE OF Wisconsin





|                       |  |             |              |                 |
|-----------------------|--|-------------|--------------|-----------------|
| RIVER FOCUS 4 PEX.    |  | DATE: 11/14 | APPROVED BY: | DRAWN BY:       |
| DOCKENORF CONST. INC. |  |             |              | REVISED:        |
| FRONT ELEVATION       |  |             |              | DRAWING NUMBER: |



|   |  |              |            |
|---|--|--------------|------------|
| SCALE: 1/4" = 1'-0"   |  | APPROVED BY: | DATE: 1/14 |
| DRAWN BY:   |  | REVIEWED:    |            |
| PROJECT: RIVER FALLS 4 <del>PHASE</del> PHASE.                |  |              |            |
| CLIENT: DOCKENDOEF CONST. INC.                                |  |              |            |
| DRAWING NUMBER: 1 <sup>ST</sup> & 2 <sup>ND</sup> FLOOR PLANS |  |              |            |



**COMMUNITY DEVELOPMENT DEPARTMENT**  
**MEMORANDUM**

---

**TO:** Mayor Toland and Plan Commission Members  
**FROM:** Tony Steiner, City Planner *TS*  
**DATE:** April 5, 2016  
**RE:** Annexation Primer

As economic conditions continue to improve we can expect to see more activity just as we saw in the early years of the new century.

The Plan Commission has a part in the annexation process. We have done several minor annexations in the past few years and Plan Commission members have little or exposure to the annexation process and the issues it needs to address.

Attached you will find a hand out that staff put together on the subject of annexation. At our meeting I will give an overview of the process and will answer questions you may have. Staff plans on doing a presentation on this subject at our May meeting.

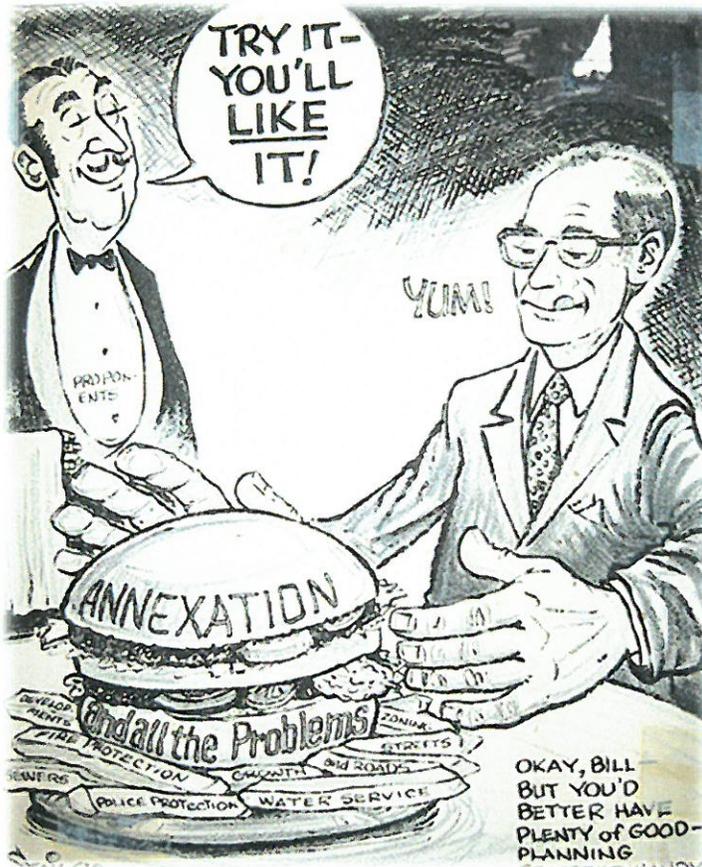
# Annexation

## Annexation is a misunderstood subject

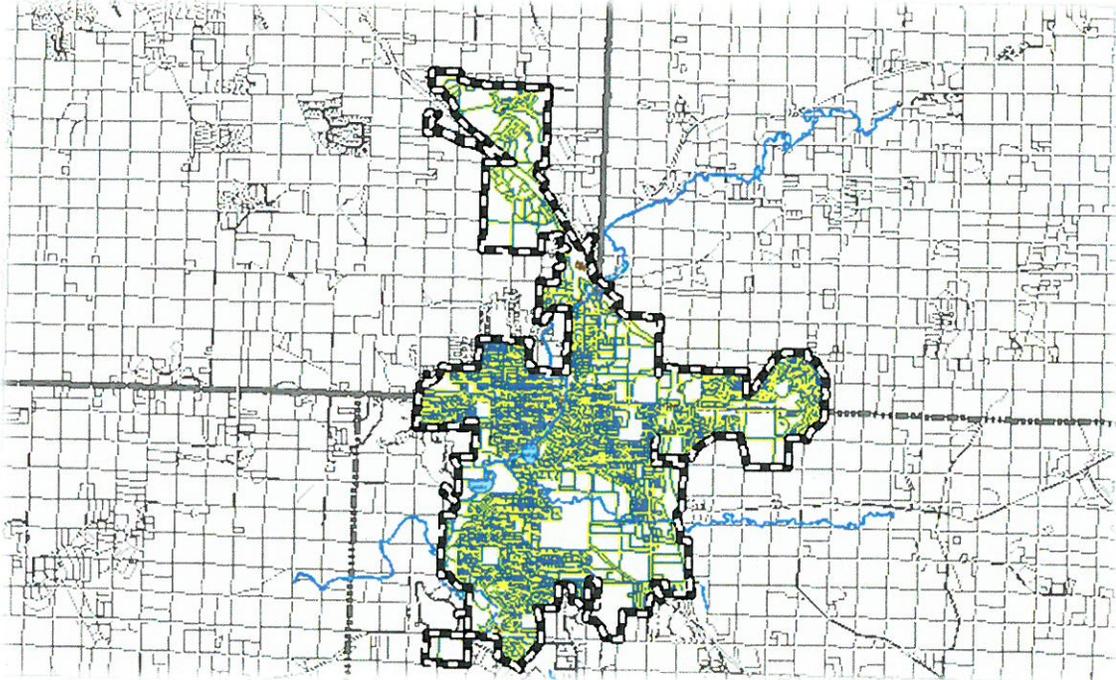
Annexation is the statutory process of transferring land from unincorporated areas to incorporated areas.



*Many times municipalities are viewed as only interested in grabbing land for expansion.*



*Typically annexations are initiated by land owners and developer's because they need services.*



*Expansion for the sake of growth is not always in the best interest of the community. All annexations need to be carefully considered. Annexations occur over time and this incremental expansion can result in oddly shaped municipal boundaries that complicate the best planning efforts of the city.*

### **Procedure**

Annexation law varies from state to state. In Wisconsin, for example, annexation statutes are created by the legislature but are interpreted by case law emanating from the Supreme Court and Court of Appeals. The state's statutes allow several methods of annexing property: annexation by unanimous consent, annexation by one-half approval and annexation by referendum. These three types require review by the Wisconsin Department of Administration in certain counties or in certain situations. The other three methods - annexation by city- or village-initiated referendum, annexation of town islands and annexation of territory owned by a city or village - do not require review. Each of the methods has its unique requirements, process, timeline and participants.

### **Controversy**

While annexation is an important avenue of growth, it is also a contentious one. A town's desire to preserve its tax base and sense of place is jeopardized. In addition, the fiscal impact of annexation is a complex assessment. Besides the expected complexity of choosing an analysis method, impact is difficult to calculate, because adjacent jurisdictions will be impacted, tax rates will change, and social impact can be unpredictable. Furthermore, new commercial development may generate its own costs, such as increased traffic congestion along new routes, resulting in increased street maintenance and repair costs. While cost evades easy calculation, it depends on the type of land annexed, its current value, number of residents and the expense of expanding services to those residents, if necessary.

### **So how does the process work in Wisconsin? (66.0217 Wis.Stats)**

- Annexation is: the statutory process for transferring lands from towns to contiguous cities and villages
- Nearly 100% of all annexations are land-owner driven
- Nearly 100% of all annexations are submitted as either “unanimous consent petitions,” or by “notice of intent to circulate petition”
- 20% of the electors residing in the territory proposed as a “notice of intent to circulate petition” annexation may request a referendum election and defeat the annexation petition
- Cities and villages may petition a circuit court to order a referendum election for a proposed petition, but this type of procedure is rarely successful
- The state reviews about 300 annexation petitions a year in those counties with a population of 50,000 or more (24 out of 72 counties); or upon request
- The state is statutorily empowered to consider and advise upon shape, contiguity, and provision of municipal services if the town (or an adjoining city or village) asserts that it can better serve the land use proposed for the property; however, appellate courts through their decisions are broadening review authority to “prevent haphazard, unrealistic and competitive expansion of municipalities which disregards the overall public interest.”
- There are no statutory limitations on size of annexation, although practically speaking, at some point “annexation” becomes “consolidation” in a legal sense
- State courts are slowly enlarging the scope of the Department’s advisory review to include criteria such as “...to prevent haphazard, unrealistic, and competitive expansion of municipalities which disregard the overall public interest.”

### **A few policy implications:**

- The decision to annex and what boundary to use is largely out of the hands of all local governments – they can only accept or reject an annexation petition
- Annexations have the potential to upset town and city/village land use and capitol facility plans and implementing ordinances
- Annexations and subsequent municipal ordinances have no immediate impact on other boundary issues, such as school district attendance areas, school district boundaries, and urban service area boundaries, however, annexations within a town sanitary district may ultimately cause the entire district to be transferred to a city or village
- Annexations may frustrate incorporation attempts and the formation of town sanitary districts, and city/village TIF districts
- Under the present system, landowners can shop around for the best deal on public services and regulations, including bringing in unwilling land owners
- Courts have said that landowners, so long as they are not influenced by others, may shape their petition, including bringing in unwilling landowners, so as to make the petition work, negative primary and secondary impacts notwithstanding
- Annexation therefore has the potential to disadvantage cities and villages as much as it does towns, because cities and villages have to rely upon incremental annexation to address their physical and socio-economic system needs

- Annexations may provide the trigger for lengthy and expensive legal struggles between competing community land use visions, tax base, and community identity, struggles unwittingly set off by land owners who are not elected, and who bear little of no risk
- Annexation disputes can become the gateway for the state, or other public and private bodies, to introduce and/or facilitate the concept of an intergovernmental agreement if the local units of government are willing to take risks and work with one another to achieve a larger common vision
- The mere act of publishing a notice of intent to circulate an incorporation petition will halt annexations from the territory included in a prospective incorporation petition (due to the “first in time” rule derived from Wisconsin appellate court decisions)

### **General Rules of Thumb used in Reviewing Annexations**

Generally acceptable petitions:

- Where interior town peninsulas or existing town islands are reduced in size
- Where petitioners leave a describable and viable connector from the town to interior parcels )
- “Balloon-on-a-string”-type connectors are tolerated so long as the adjoining territory is included in an intergovernmental agreement that provides for ultimate transfer of the entire area to the annexing city or village (via ss. 66.0307, 66.0301, 66.0225, Stats., agreements)
- Long-peninsulas where the chain is made up of entire tax parcels, and the owner at the end of the chain is the one petitioning for annexation
- Situations where --on balance-- service needs and/or land use conflicts can be resolved through annexation, and other criteria are met – even though the annexation boundary may appear to be irregular
- Where submitted maps match the legal description
- Where petitions cross a limited-access highway, even though the parcel may lack direct road access

### **Problematic petitions occur when:**

- Town islands are created
- Maps and legal descriptions do not match, lack references to monumentation, government lots are involved, or legal refers to registrar of deeds documents as exceptions or inclusions without identifying them on a scale map
- The connector between the parcel and the annexing jurisdiction is a town road, a state trunk highway, etc., and no other adjoining parcels are involved
- The connector is merely a narrow strip of land extending out into the township
- Town roads acquired by easement are involved, and the petition is supposedly unanimous, yet the owner of the easement has not signed
- The sole connection is by water
- A road may separate a petitioned parcel from an existing municipal boundary, and the road is omitted from the description and map
- Petitions purport to annex significant town population and/or tax base

- Annexation is intended to circumvent regulation of a land use by a town or county, or where the town is clearly better able to regulate the intended use

### **Municipal Annexation**

Regardless of city size or geography, all cities experience some development outside their boundaries (in the “fringe” areas) due to cheaper property and less restrictive zoning laws. Not only are these fringes socially and economically linked to the city, but oftentimes the residents and industrial and commercial businesses in the fringe areas utilize the city's resources and services without contributing their share of the cost to the city. Such practices strain the effectiveness of municipal governance. In addition, the growth of separate fringe areas may produce a complex pattern of government by multiple jurisdictions, resulting in confusion of authority and an inefficient overlapping of services.

To resolve these issues, the urbanized core city may seek to annex (transfer a parcel of land from one government to another) the adjacent urbanizing fringe area in order to use resources efficiently, capture growth, gain a tax base or implement a plan across current borders. In some cases, annexation may precede urbanization as a means of capturing anticipated growth.

### **City of River Falls Annexation Procedure. Section 19.100.030**

**A. Purpose.** This policy is created to assist the city council in deciding whether to annex territory not presently within the city. The provisions of this subsection are guidelines, and each annexation proposal will present unique characteristics, so the guidelines set out in this subsection are to be considered, but need not all be met for an annexation to be approved.

**B. Factors to be Considered.** The following factors will be considered in determining whether to approve an annexation to the city:

1. Location. Is the location contiguous to the city?
2. Use. Is the present use or proposed use of the area proposed to be annexed compatible with the uses in the city adjacent to the territory proposed to be annexed?
3. Capital Costs. The costs of providing capital improvements, as considered in the capital cost study described in subsection C of this section shall be considered. Ordinarily an annexation will not be approved unless the owners of the property proposed to be annexed agree to pay the capital costs as shown by the capital cost study.
4. Annual Budget Costs. The effect of the annexation on the annual budget of the city, including not only additional costs to serve the territory, but also new revenues from real estate taxes, anticipated business license fees, sales taxes and other revenues from the area shall be considered all as to be shown on the budget study provided in subsection D of this section.

**C. Capital Cost Study.**

1. The cost of capital improvements to serve the area shall be estimated by the appropriate city staff. Capital costs shall include, but not be limited to, water mains, sanitary sewer mains, storm drainage facilities, new street pavement or street widening, storm water control projects, parks, fire stations or equipment and any other capital costs related to serving the area. Costs of streets, sewers, water mains and storm water projects to be constructed in the area proposed to be annexed may be dealt with separately, if these will be constructed by the subdivider or developer developing the property. The owners of property proposed to be annexed will be notified of the capital costs related to the proposed annexation. The owners will be informed that it is the policy of the city to have a commitment from the owners to pay the capital costs or the owner's proportionate share of capital costs, for the property to be annexed. In the absence of strong circumstances to indicate a contrary decision, ordinarily territory will not be annexed to the city unless the owners of the land to be annexed agree to pay their proportionate share of the capital costs, as prescribed by the city council policy on assessments, and place their proportionate share of the capital costs in an escrow account prior to the final action of the city council on the annexation.
2. All costs to complete the capital cost study shall be borne by the property owners petitioning to be annexed.

**D. Budget Study.** The appropriate city staff shall cause a budget study to be made, showing not only the estimated annual costs of providing municipal services to the territory proposed to be annexed, but also the estimated revenues to the city from the territory proposed to be annexed, including real estate taxes, business license fees, sales taxes and any other municipal revenue anticipated to be received from the territory proposed to be annexed. The territory may be annexed whether the costs exceed the estimated revenues or whether the estimated revenues exceed the estimated costs but the city council will consider the impact of the proposed annexation on the city budget.

**E. Master Plan.** The policies set out in this subsection shall be a part of the master plan of the city at the time of its adoption and shall be applicable to all subsequent amendments.

## City of River Falls Monthly Status Report

Department Name: Community Development

Reporting Period: 3/1/2016

### Department Projects and Status

| Name of Project                   | Completed                           | In Progress                         | Delayed                  | Updates  |
|-----------------------------------|-------------------------------------|-------------------------------------|--------------------------|--|
| <b>Planning &amp; Development</b> |                                     |                                     |                          |  |
| Housing Authority                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Attended HA meeting, there was discussion on grants and personal review process this was the last meeting for the chairman   |
| Kinni Corridor Plan               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The RFP is complete and will be sent out within the next two weeks. The relicensing of the hydros will occur in a separate process.  |
| Pioneer Metal                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Application information was provided.  |
| Park Master Plan                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Staff will present to Park Board and CPC April 20, then the City Council May 24.   |
| Power Plant Substation Discussion | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | A draft site plan was reviewed by staff amendments were recommended.   |
| CIP                               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department CIP items have been submitted to Finance.   |
| SLUC                              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Staff attended the March Sensible Land Use Coalition presentation on the New Economy.  |
| Hoffman Park Safe Room            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <p>Staff has submitted documentation to FEMA for the reimbursement of funds for the construction of the Hoffman Park Safe Room. The City paid for the project up front and was reimbursed 87.5 % of the approved grant amount. The City's investment in the safe room project was 12.5% of the total cost of construction. In late February Staff was informed that FEMA has approved reimbursement and in early March the City received a check to cover 87.5% of the cost. Staff will be meeting with FEMA reps on April 7<sup>th</sup> for a final walk through.</p> <p>Met with Gordy young, Jon Aubart and Tom Schwalen on security and emergency operations for spring/summer at Hoffman Park Storm Shelter. Drafting the operations plan is in progress</p> |
| DNR Trail Grant                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The city has received and signed a contract agreement with the DNR for their share of the trail construction grant for our trail project that terminates at Division street. We expect to see the contract agreement   |

|   |                                     |                                     |                                     |  |
|---|-------------------------------------|-------------------------------------|-------------------------------------|--|
|   |                                     |                                     |                                     | with the Feds as this is a LAWCON funded project in April. The trail will be designed this year and built next year. The project is required by our contract to be finished by 2018.   |
| DOT Tap Grant   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | The city's application for funds to construct a pedestrian bridge on railroad abutments across the Kinni has been submitted. We have received word that it is currently under review. We expect to have a decision from the DOT later this year. There was no activity in March on this item.  |
| South Main Street Corridor Study                                    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Plan Commission planning workshops continue on this project.   |
| 2015 Trends Report  | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Data collection is complete and is being organized for the report. The report will be presented to Council in May.   |
| Wisconsin Historical Society Grant for National Register Nomination | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | In early March the City received notice from the Wisconsin Historical Society that the City's grant application for funds to be used to produce a National Register of Historic Places nomination for the Glen Park Swinging Bridge has been approved. We expect to have a consultant on board by summer and work completed on the nomination by the end of the year.  |
| Forestry/ Tree City USA Recertification                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Staff attended the 54 <sup>th</sup> Annual University of Minnesota Shade Tree Short Course along with Nate Croes from the Public Works Department in March. The City received notice on March 24 <sup>th</sup> of its recertification as a Tree City USA Community. The City has participated in this program since 1993.  |
| Site Plan Review  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | There are currently two site plans submitted for review:<br>- St Croix County Communications Tower located in whitetail ridge Corporate Park<br>- St Croix Valley Incubator, Located in Sterling Ponds Corporate Park<br>There are three site plans that are expected to be submitted in the near future<br>- Addition to First National Bank of River Falls<br>-Two Industrial Park projects, one in River Falls Industrial Park and one in Sterling Ponds Corporate Park |
| Rezoning for The River Church                                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | The River Church has purchased land from St. Bridget's Church on Cemetery Road. The River Church plan to build a Church in the coming years and as a first step has submitted a petition to rezone the property. The Plan Commission and Council will be reviewing this issue in   |

|                                      |                                     |                                     |                          |  |
|--------------------------------------|-------------------------------------|-------------------------------------|--------------------------|--|
|                                      |                                     |                                     |                          | the month of May   |
| <b>214 Union Street</b>              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Staff is talking to St Bridget on future use of this property and how it may benefit the community.          |
| <b>Parks &amp; Recreation</b>        |                                     |                                     |                          |  |
| <b>Pool Operations</b>               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Working to update the Municipal Pool Operation Manual and staff training.                                    |
| <b>Park &amp; Rec Activity Guide</b> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | Working on guide and new summer programs: Registration begins March 14                                       |
| <b>Park &amp; Rec Fee Study</b>      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Plan to report to Park & Rec Board in March  |
| <b>Building &amp; Inspection</b>     |                                     |                                     |                          |  |
| <b>Joint Contractor Meeting</b>      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | Annual meeting March 10, Attended by 50 contractors and 14 staff.  |
| <b>Permitting</b>                    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | New construction and other permitting is picking up for the season. See the department dashboard for details |
| <b>Upgrade Rental Renewal System</b> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Converting system from word/excel to Munis for greater efficiencies  |

Comments:

Recreation programs have registered 1192 participants in spring/summer programs and received \$42,404 in revenues in the two weeks since registration started.

Working with St. Croix County on the update to their County Bike Plan.

Investigating software for Community Development that would include inspections, code enforcement and the potential for site plan review.

Staff met with Kinni Land Trust on possible grants and available land along the Kinni.

Beginning ComDev website updates

Staff organized and participated in a DiSC training session for better communications.

**Good News!** (Awards/grants received, accomplishments, employee customer service, etc.)

Congratulations to the City of River Falls in Wisconsin on joining Monarch City USA! We are happy to have you as a partner in helping restore monarch habitat. Park and Recreation Department will be installing the sign in DeSantis Park where a new Butterfly Garden class will plant milkweed seeds and learn about the butterflies and how to help them flourish.

The Wisconsin Historical Society has awarded a historic preservation grant of \$4,000 to the City of River Falls to prepare a National Register Nomination for the "Glen Park Suspension Footbridge", more commonly referred to as the "Swinging Bridge" The Glen Park Suspension Footbridge is a rare resource type in the state. There are only two other known examples in Wisconsin of pedestrian suspension bridges similar to the Glen Park Suspension Footbridge — one located in Boyd Park in Eau Claire and another in Copper Falls State Park in Ashland County. It is also important for its association with the Planning and Development history of River Falls in general and with Glen Park, specifically. A historic preservation consultant will be selected by mid-summer and the nomination will be completed by the summer of 2017.

**Dates and Events of Note** (meetings, opportunities for public interaction, community events, etc.)

April 4<sup>th</sup> - Spring Swimming lessons start at High School Pool  
April 20<sup>th</sup> – Joint Park Board/Plan Commission meeting – Park Implementation Plan  
May 7<sup>th</sup> – International Migratory Bird Day Event at City Hall  
May 24 – City Council workshop – Park Implementation Plan  
April – June – Select consultant for Kinni River Corridor Plan. Begin project in July

## Service Notices/Heads Up/Challenging Issues

## Thank You's/Kudos/Recognition

**Personnel Updates** (new hires, resignations/retirements, work anniversaries, customer service excellence, babies, weddings, etc.)

# River Falls Building Activity Dashboard

## March 2016

### Construction Permits: Commercial and 1-2 Family Residential Units

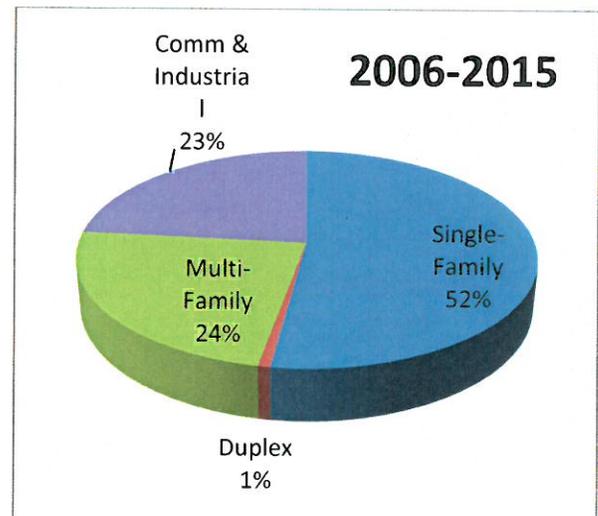
| Building Activity Type     | Mar 2016 Total # of Permits | Mar 2016 Monthly Permit Values | 2016 YTD Total # of Permits | 2016 YTD Permit Value | 5-yr. Annual Average |
|----------------------------|-----------------------------|--------------------------------|-----------------------------|-----------------------|----------------------|
| Single Family              | 16                          | \$2,535,000                    | 21                          | \$3,350,000           | \$6,396,120          |
| Duplex                     | 0                           | \$0                            | 0                           | \$0                   | \$ 94,640            |
| Multi-family               | 0                           | \$0                            | 0                           | \$0                   | \$1,255,600          |
| 1-2 Family Additions/Alt's | 10                          | \$74,970                       | 23                          | \$360,770             | \$ 696,906           |
| <b>TOTAL</b>               | <b>26</b>                   | <b>\$2,609,970</b>             | <b>44</b>                   | <b>\$3,710,770</b>    |                      |

### Comm.-Ind. Construction Permits: Non-Residential

| Building Activity Type    | Mar 2016 Total # of Permits | Mar 2016 Monthly Permit Value | 2016 YTD Total # of Permits | 2016 YTD Permit Value | 5-yr. Annual Average |
|---------------------------|-----------------------------|-------------------------------|-----------------------------|-----------------------|----------------------|
| New Commercial/Industrial | 0                           | \$0                           | 0                           | \$0                   | \$1,252,561          |
| Comm. Additions/Alt's     | 1                           | \$300,000                     | 5                           | \$430,500             | \$5,529,809          |
| <b>TOTAL</b>              | <b>1</b>                    | <b>\$300,000</b>              | <b>5</b>                    | <b>\$430,500</b>      |                      |

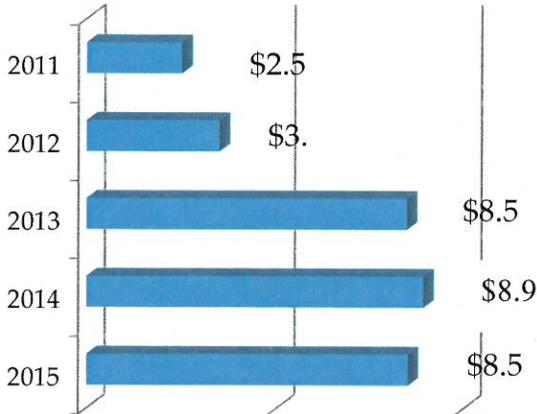
### New Const. Overview 2006 – 2015

| New Construction Type | Number of Permits | Permit Value          |
|-----------------------|-------------------|-----------------------|
| Single Family         | 454               | \$ 68,638,830         |
| Duplex                | 6                 | \$ 986,200            |
| Multi-family          | 32                | \$ 31,082,159         |
| Comm/Industrial       | 27                | \$ 30,927,803         |
| <b>TOTAL</b>          | <b>519</b>        | <b>\$ 131,544,992</b> |



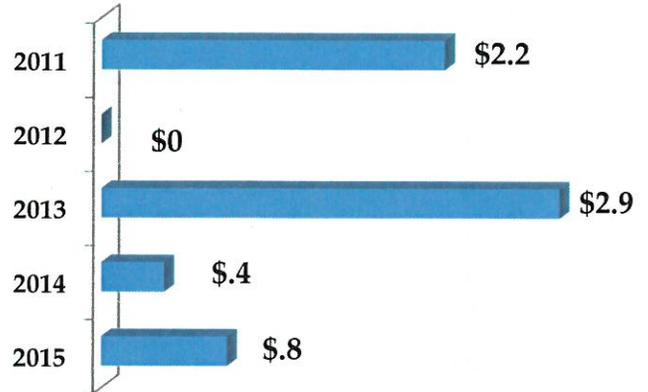
# River Falls Building Activity Dashboard

Value of New Single-Family Residential Permits  
(In millions of \$)



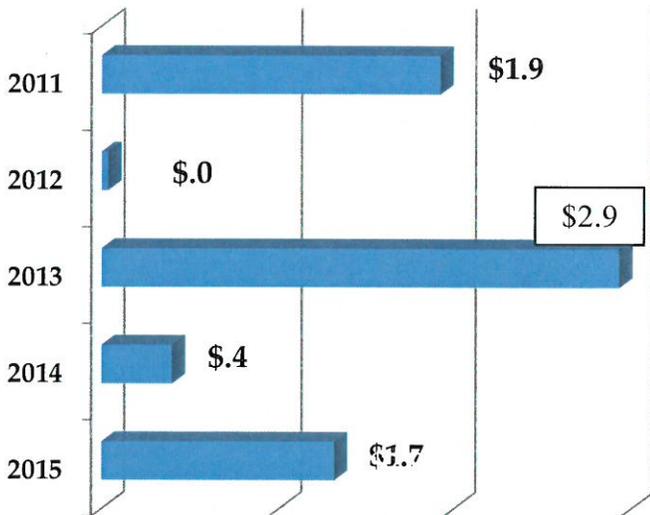
5-yr Annual Average \$6,396,120

Value of New Multi-family Residential Permits  
(In millions of \$)



5-yr Annual Average \$1,255,600

Value of New Comm.- Indus. Const.  
(In millions of \$)



5-yr Annual Average \$1,396,084

5-Year Annualized Value of Total New Construction Permits

| Years       | Residential Construction Yearly Avg. | Industrial Construction Yearly Avg. |
|-------------|--------------------------------------|-------------------------------------|
| 2006 – 2010 | \$12,395,077                         | \$4,933,000                         |
| 2007 – 2011 | \$ 9,512,044                         | \$4,768,180                         |
| 2008 – 2012 | \$ 6,981,915                         | \$3,368,685                         |
| 2009 – 2013 | \$7,566,492                          | \$1,366,084                         |
| 2010 – 2014 | \$7,966,054                          | \$1,396,084                         |
| 2011 - 2015 | \$6,396,120                          | \$1,252,561                         |

For more information please contact: David Hovel – Building Inspector  
(715) 426-3426 or [dbhovel@rfcity.org](mailto:dbhovel@rfcity.org)