

**CITY OF LA CROSSE, WISCONSIN
CITY PLAN COMMISSION
REPORT
November 2, 2015**

➤ **AGENDA ITEM - 15-1043 (Lewis Kuhlman)**

Certified Survey Map Part of Lot 4 CSM (v.15, p.131, Doc. No. 1620644) located in the NE 1/4 of the SW 1/4, Section 14, T16N-R7W to the City of La Crosse, La Crosse County, Wisconsin and waiver of sec. 113-1 Subdivision platting requirements.

➤ **ROUTING:** J&A Committee

➤ **BACKGROUND INFORMATION:**

The applicant is requesting a waiver of the Subdivision platting requirements for the property depicted on attached **MAP PC15-1043**, citing undue hardship of several months of work to complete the requirements. The Kohnert Trust Property was first divided in January 2006, with the creation of a lot for Bob & Kay Davis at 2720 Eastbrook Drive. It was divided again in May 2013 with the creation of a lot at 4905 County Road B. Applicants are seeking to divide the remaining land into two lots. Therefore, the applicant is required to meet the subdivision platting requirements because it is within five years of May 2013.

A subdivision' by definition of the Municipal Code, includes the divisions of land into three or more parcels of 35 acres or less created within a period of five years. Land divisions of less than three parcels may submit certified survey maps. The purpose of this differentiation is that the infrastructure logistics necessary for subdivisions is typically more complex, requiring considerations for streets and utility extensions. The intention of the five year period is to prevent developers from submitting a series of certified survey maps in order to avoid the subdivision platting requirements. Waiver of requirements (Sec. 113-9) may be granted "because exceptional or undue hardship would result... Such relief shall be granted without detriment to the public good, without impairing the intent and purpose of this chapter or the desirable general development of the City in accordance with the Comprehensive Plan or Comprehensive Plan component. Reasons for such waiver or modification shall be stated in the minutes of the meeting."

Undue hardships are actions that place significant difficulty or expense on the party in terms of health, safety, or cost. It implies that the requirements are extreme, improper, unreasonable, or unjustified, rather than just inconvenient. On the other hand, the City Engineer that reviewed the Certified Survey Map stated that the scale of the development would be more similar to a land division that only requires a certified survey map. The new lots do not require further grading or infrastructure development as they are flat, on an existing road, and can easily connect to utilities.

➤ **GENERAL LOCATION:**

The east side of Eastbrook Drive off County Road B.

➤ **RECOMMENDATION OF OTHER BOARDS AND COMMISSIONS:**

N/A

➤ **CONSISTENCY WITH ADOPTED COMPREHENSIVE PLAN:**

This waiver is consistent with the adopted comprehensive plan, specifically Land Use Objective 17. The objective is to “[e]stablish and maintain an open, fair planning and regulatory process that is consistent with other jurisdictions (county, state, federal).” Applicant’s cover letter states that the certified survey map is consistent with Chapter 236 of the Wisconsin Statutes. A certified survey map would also be consistent with the County’s definition of a minor subdivision of four or fewer lots.

Furthermore, the Future Land Use Map shows the property as Fringe Residential Housing. This land division fits that land use category, since it “provides for compact and environmentally sensitive residential development in the coulee areas. All development would be fully served by city utilities. The density is expected to be less than 4 housing units per net acre.” The lots could be considered infill among existing sprawling development which is preferable to expanding further out and requiring more infrastructure investment.
























➤ **PLANNING RECOMMENDATION:**

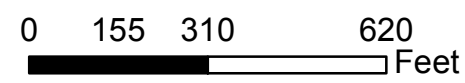
. Planning staff acknowledges that the applicants’ broad intention has likely always been to create three or more lots – a subdivision by the City’s definition (though not the County’s). Further, staff finds that length of time it would take to complete a final and preliminary plat would not be an undue hardship. Both could be submitted together, it is not a unique requirement for a subdivision, and it is unlikely that construction would begin this late in the year anyway. How-ever, the subdivision requirements may simply be unnecessary in this case.

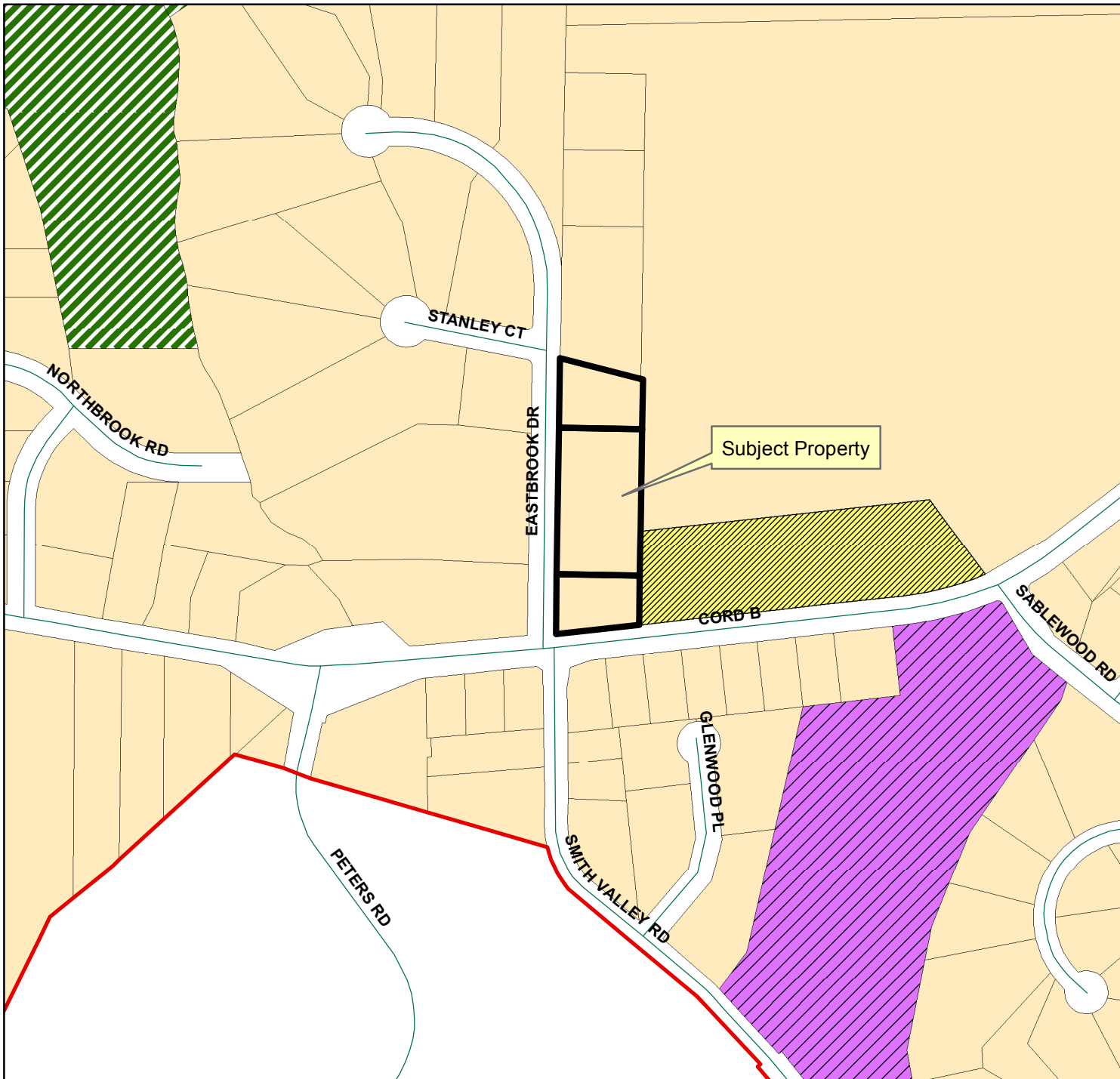
Subdivision standards are important so that every property owner contributes their fair share to maintaining the infrastructure that serves them. They are also important to allow the City to grow in an orderly manner. This land division would fill in vacant land among other fringe residential housing and would take advantage of existing streets and utility connections. It appears that the applicants are not trying to cheat the requirements of the City and are in a situation that would more easily be dealt with via a certified survey map. **Planning staff recommends approval of the Certified Survey Map and the waiver of the platting requirements on the condition that any further land division shall follow the Subdivision requirements of Section 113.**


























BASIC ZONING DISTRICTS

-  R1 - SINGLE FAMILY
-  R2 - RESIDENCE
-  WR - WASHBURN RES
-  R3 - SPECIAL RESIDENCE
-  R4 - LOW DENSITY MULTI
-  R5 - MULTIPLE DWELLING
-  R6 - SPECIAL MULTIPLE
-  PD- PLANNED DEVELOP
-  TND - TRAD NEIGH DEV.
-  C1 - LOCAL BUSINESS
-  C2 - COMMERCIAL
-  C3 - COMMUNITY BUSINESS
-  M1 - LIGHT INDUSTRIAL
-  M2 - HEAVY INDUSTRIAL
-  PS - PUBLIC & SEMI-PUBLIC
-  PL - PARKING LOT
-  UT - PUBLIC UTILITY
-  CON - CONSERVANCY
-  FW - FLOODWAY
-  A1 - AGRICULTURAL
-  EA - EXCLUSIVE AG
-  City Limits
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