



**ZONING MAP AMENDMENT (“REZONE”)**

**LAND DEVELOPMENT APPLICATION FORM**

Applications will not be processed unless all required information for the specific application type is submitted and applicable fees paid by **12:00 NOON** on the application deadline date. No partial applications will be accepted and final acceptance will be determined by the Planning Director after the initial submission.

**Applicant  
Initials:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Letter of Intent (1 copy)  
Predevelopment Agreement signed (1 copy)  
Application checklist complete and signed (1 copy)**

**OFFICE USE:  
Staff Initials:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Applicant information:**

Name: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

**Property owner information:**

Name: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

**Primary contact information:**

Name: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

**Property Information:**

Legal Description: \_\_\_\_\_  
(i.e. lot # of subdivision or certified survey map; metes and bounds (“unplatted”))  
Parcel Number: \_\_\_\_\_ Address/Location: \_\_\_\_\_  
Existing Zoning District: \_\_\_\_\_ Existing Land Use: \_\_\_\_\_

**Brief Description of Project:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Property Owner Authorization (required):**

\_\_\_\_\_  
(Signature or signed letter of authorization)

**Applicant Signature (if different from owner):**

\_\_\_\_\_

**OFFICE USE:**  
Received in Planning Dept. office by: \_\_\_\_\_ Date: \_\_\_\_\_  
Fee Paid: \_\_\_\_\_ Check #: \_\_\_\_\_ Project Number: \_\_\_\_\_

Attach a separate sheet if more room is needed to supply complete information.



## DETAILED INSTRUCTION SHEET FOR FILLING OUT LAND DEVELOPMENT APPLICATION

### **Prior to Submittal:**

It is strongly recommended that applicants set up an appointment with the staff of the Planning Division to discuss your proposal in detail and review the approval process.

### **Filing Deadline:**

The deadline for all applications is **12:00 NOON (CT)** on the filing day as identified in the Plan Commission Development Review Calendar. Incomplete applications will not be accepted. Applications received after 12:00 noon will be processed along with applications filed for the next application cycle. **Applications shall be submitted electronically or using a portable storage device (*E-mail to [planning@cityofsunprairie.com](mailto:planning@cityofsunprairie.com)*).**

### **Payment of Fees:**

Full payment must be received for an application to be complete. Payment may be mailed or delivered to City Hall, 300 E. Main Street; by calling the Planning Division at (608) 825-1107; or online through the city's website [www.cityofsunprairie.com](http://www.cityofsunprairie.com). Online payments shall be submitted by as "Miscellaneous Bills" and by selecting "Planning Documents." **All credit or debit card payments will be charged a 2.35% convenience fee.**

### **Upon Filing Your Application:**

Planning staff will review the application submittal for completeness and circulate plans to appropriate City departments for review. A public hearing or public meeting date before the Plan Commission will be scheduled by City staff after a **complete** application is received. You will be informed of the time and place of the public hearing or public meeting and provided with a copy of the City staff comments and recommendations in advance of the meeting. For public hearing items, staff will also notify property owners within 300 feet of the boundaries of the property.

*While your attendance at a public hearing or meeting is not mandatory, it is in your best interest to attend the meeting to explain your proposal and answer questions. If you, or a representative attending on your behalf, are not present to answer questions regarding the development proposal, the application may be denied or referred to another date due to a lack of available information. You should also remain at the public hearing or public meeting until after the Plan Commission votes on your proposal.*

### **Required Application Submittal Materials (to be attached to the application form):**

- 1. Legal Description of Property.** Submittal of a proper legal description of the project is REQUIRED for all applications. A proper legal description is a lot and block number of a recorded certified survey map or plat, or a metes and bounds description prepared by a surveyor, engineer, title company, etc. A "plat of survey" or "site plan" is NOT a proper legal description. Any application without a proper, complete and appropriate legal description will NOT be processed.
- 2. Letter of Intent.** The applicant shall provide the City with a **Letter of Intent** describing in detail the application. The letter of intent should include the following information, as applicable:
  - Purpose for the request
  - Construction schedules (i.e. project start, proposed occupancy date)
  - Names of people involved (i.e. applicant, property owner, contractor, architect, landscaper, business manager)

- Detailed description of the types of business or businesses proposed
- Hours of operation for the business or activity
- Area of the site in square feet or acres
- Number of dwelling units
- Number of employees (total and on largest shift)
- Number of lots to be created (if involves a land division)
- Explain any wetlands, woodlands, floodplain, steep slopes and other environmental features on the property
- Identify access to the property
- If located in the Extraterritorial Jurisdiction (ETJ) area of the City, explain other processes that have or need to be taken with other regulating governmental entities.
- Any additional information that the applicant wishes to submit in support of or to justify the requested action.

3. **Predevelopment Agreement Form. (MUST BE SIGNED FOR ALL PROJECT TYPES BY THE APPLICANT)** This agreement between the developer and the city ensures that the developer agrees to pay for all review, processing, approving and/or administration costs incurred by the city including without limitation because of enumeration, costs of publications and special meetings, legal, engineering, planning and design service costs incurred by the city in connection with this review, processing, approving and/or administration of the application. Additionally this agreement ensures that the city agrees to review the application of the developer in accordance with the law and desires to have such review made without unreasonable expense to the city taxpayers. When completing the form, the blanks for the dollar amounts on page 2 should be left blank.

4. **Application Checklist. (MUST BE COMPLETED AND INITIALED BY THE APPLICANT)** An application checklist for the specific application type must be completed by the applicant as part of the application process. Each checklist was created to identify all of the items that must be submitted for each project type. Each item in the checklist must be initialed by the applicant, indicating that the required item has been included in the application submission. Planning staff will also use this checklist to determine if the application is complete and therefore ready to be placed on the Plan Commission agenda. More detailed instructions for each project type are included on the respective project checklist.

**PREDEVELOPMENT AGREEMENT FOR COSTS SUSTAINED  
BY THE CITY OF SUN PRAIRIE, DANE COUNTY WISCONSIN, IN REVIEWING, CONSIDERING  
AND/OR ADMINISTERING  
LAND DEVELOPMENT RELATED ACTIVITIES**

**THIS AGREEMENT** is entered into between the City of Sun Prairie, Wisconsin, a Wisconsin Municipal Corporation, hereinafter called the **(CITY)**, and \_\_\_\_\_ **(DEVELOPER)** of the following described lands within the City of Sun Prairie or its three mile extraterritorial jurisdiction:

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**WHEREAS**, the person(s) above-named wish to engage in the following land development related activities

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within the **CITY** and/or its three mile extraterritorial jurisdiction and to obtain **CITY** approval of this land development related activity; which may include but is not limited to land divisions, zoning map amendments, conditional use permits, variances, annexations, site plan reviews, landscape plan reviews, planned unit developments, comprehensive plan amendments, official map amendments, and urban service area amendments, in accordance with applicable federal and state laws and **CITY** ordinances; and,

**WHEREAS**, the **CITY** agrees to review the land development related activity, as defined above, of the **DEVELOPER** in accordance with law and desires to have such review made without unreasonable expense to the **CITY** taxpayers:

**NOW, THEREFORE**, the parties agree as follows:

**PART A. PAYMENT FOR REVIEW SERVICES**

The **DEVELOPER** agrees to pay all review, processing, approving and/or administration costs incurred by the **CITY** including without limitation because of enumeration, costs of publications and special meetings, legal, engineering, planning and design service costs incurred by the **CITY** in connection with this review, processing, approving and/or administration.

The **DEVELOPER** understands the legal, engineering, and planning or design consultants retained by the **CITY** are acting exclusively on behalf of the **CITY** and not the **DEVELOPER**.

**PART B. GUARANTEE OF PAYMENT**

If the **CITY**, in its sole discretion, determines that the costs the **CITY** may incur in connection with the land development related activity are significant, then the **CITY** shall require the **DEVELOPER** to guarantee reimbursement of the **CITY** for costs described in **PART A** by depositing with the **CITY** Clerk/Treasurer a (cash deposit) (cashier's check) (irrevocable letter of credit) in the name of the **CITY** in the principal sum of \$ \_\_\_\_\_, which includes the sum of \$ \_\_\_\_\_ to cover the cost of unanticipated contingencies.

If guarantee is made by cash deposit, the **CITY** agrees to deposit the guarantee payment in an interest bearing account and to make payments from such account for the above described services.

If at any time moneys in the account, including earned interest, or the principal amount of the irrevocable letter of credit are insufficient to pay expenses incurred by the **CITY** for review, processing, approving and/or administration costs, **DEVELOPER** agrees to deposit required additional amounts within fifteen (15) days of

written demand by the CITY Clerk/Treasurer, the CITY shall not be required to take any further action on such activity until the amount in arrears plus interest at the rate of 18% per annum are paid in full.

**PART C. TERMINATION OF GUARANTEE**

Sixty (60) days after completion of review, processing, approving or administering, evidenced by resolution or ordinance of the CITY Council/Board approving, conditionally approving or rejecting the land development related activity, the CITY agrees to refund the DEVELOPER any moneys remaining in the deposit account, including any interest earned thereon; or if guarantee is made in the form of an irrevocable letter of credit, to give a written release, sufficient to terminate the guarantees of such letter less, in either case, any amounts owing for administrative costs described in PART A.

**PART D. EFFECT OF APPROVAL**

Subject to the applicable regulations of any governmental entity with jurisdiction and/or the ordinances, rules and regulations of the CITY, the approval of the land development related activity shall entitle the DEVELOPER to final approval of land development related activity only if all conditions of approval have been met, and only if all required guarantee deposits, and all amounts payable under this Agreement have been paid.

**PART E. SEVERABILITY CLAUSE**

If any section, subsection, sentence, clause, phrase or portion of this Agreement is for any reason held to be invalid, such invalidity shall not affect the validity of any other section, subsection, sentence, clause, phrase, or portion thereof.

IN WITNESS WHEREOF, the parties have executed this AGREEMENT on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

**CITY OF SUN PRAIRIE**

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
City Clerk/Treasurer

Attested By:

\_\_\_\_\_

**DEVELOPER/OWNER**

{NAME OF DEVELOPER/OWNER} \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Attested By:

\_\_\_\_\_

## APPLICATION CHECKLIST AMENDMENT OF THE OFFICIAL ZONING MAP

All applications for proposed **amendments to the City of Sun Prairie official zoning map (“rezone”)**, regardless of the party of their initiation shall be filed with the Planning Division. This form shall serve as a checklist for official zoning map amendment applications. **The use of this checklist by the applicant to ensure a complete application submittal for this application is required.** One completed and signed original copy of this checklist shall be submitted to the Planning Division with all application submittals.

**This form is also used by staff to verify that all required materials related to this application have been received and are complete. The use of this checklist by the City or applicant does not constitute a waiver of any additional requirement contained in the City’s Municipal Code. Refer to the Sun Prairie Municipal Code for a complete listing of the requirements (<http://library.municode.com/index.aspx?clientId=13968>).**

**NOTE: Items will not be placed on a Plan Commission agenda until a complete application including all of the following is submitted by the deadline date and time. Submittal deadlines are listed in the Development Review Calendar.**

|                    |  |
|--------------------|--|
| Review<br>Initials | <b>Submittal Requirements</b>  |
|                    | <b>One (1) copy</b> of a completed application form  |
|                    | <b>One (1) copy</b> of a signed Predevelopment Agreement form  |
|                    | <b>One (1) copy</b> of a legal description of the subject property <i>(In Microsoft Word Format)</i>   |
|                    | <b>One (1) copy</b> of all plans and submittal materials. <i>(In PDF Format)</i>   |
|                    | <b>One (1) copy</b> of a Letter of Intent, fully explaining the request  |
|                    | <b>Payment of Fees</b> <i>(see fee schedule)</i>   |
|                    | <b>One (1) copy</b> (8 ½” x 11” or 11” x 17”) of a map of the subject property showing all lands for which the zoning is proposed to be amended, and all other lands within 200 feet of the boundaries of the subject property. Said map shall clearly indicate the current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control. Said map and all its parts and attachments shall be submitted in a form which is clearly reproducible with a photocopier, and shall be at a scale, which is not less than one inch equals 800 feet. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided. Said map shall also include a <b>legal description(s)</b> of the property (written and electronic) requested to be rezoned and said map shall clearly state the current zoning district(s) and the proposed zoning district(s) for the subject property. Applications requesting multiple zoning districts will need a legal description for each proposed district, in addition to the overall property description.   |
|                    | <p><b>One (1) copy</b> (8 ½” x 11”) of a written justification for the proposed map amendment (may be included in Letter of Intent). (The Applicant is advised to use the requirements below, to develop said written justification.)</p> <ol style="list-style-type: none"> <li>a. How does the proposed Official Zoning Map amendment further the purposes of Title 17 Zoning Regulations as outlined in Section 17.04.050?;</li> <li>b. Which of the following factors has arisen that are not properly addressed on the current Official Zoning Map? <ol style="list-style-type: none"> <li>i. The designations of the Official Zoning Map should be brought into conformity with the Comprehensive Plan;</li> <li>ii. A mistake was made in mapping on the Official Zoning Map. (That is, an area is, and has been, developing in a manner and purpose different from that for which it is mapped.) <b>NOTE:</b> If this reason is cited, it must be demonstrated that the discussed inconsistency between actual land use and designated zoning is not intended, as the City may intend to stop an undesirable land use pattern from spreading;</li> </ol> </li> </ol> |

|  |   |
|--|---|
|  | <ul style="list-style-type: none"> <li>iii. Factors have changed, (such as the availability of new data, the presence of new roads or other infrastructure, additional development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district;</li> <li>iv. Growth patterns or rates have changed, thereby creating the need for an Amendment to the Official Zoning Map.</li> </ul> <ul style="list-style-type: none"> <li>c. How does the proposed amendment to the Official Zoning Map relate to the City's Comprehensive Plan?</li> <li>d. How does the proposed amendment to the Official Zoning Map maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?</li> </ul> |
|--|---|

**Action on Your Submittal:**

Any action to amend the official zoning map requires a majority vote of the council. Approval of the requested amendment shall be considered as the approval of a unique request, and shall not be construed as precedent for any other proposed amendment (*see Zoning Ordinance Chapter 17.44.030*)

**NOTE:** Affidavits for approved Conditional Use Permits (CUP) and General Development Plans (GDP) will be recorded with the Dane County Register of Deeds by City staff. Certified Survey Maps (CSM) and Final Plats must be recorded with the Dane County Register of Deeds by the applicant. Prior to recording the CSM or plat, **the applicant is required to coordinate signatures with the project Planner.** A recorded copy or recording document number must be provided to the Planning Division.

**Applicant Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_