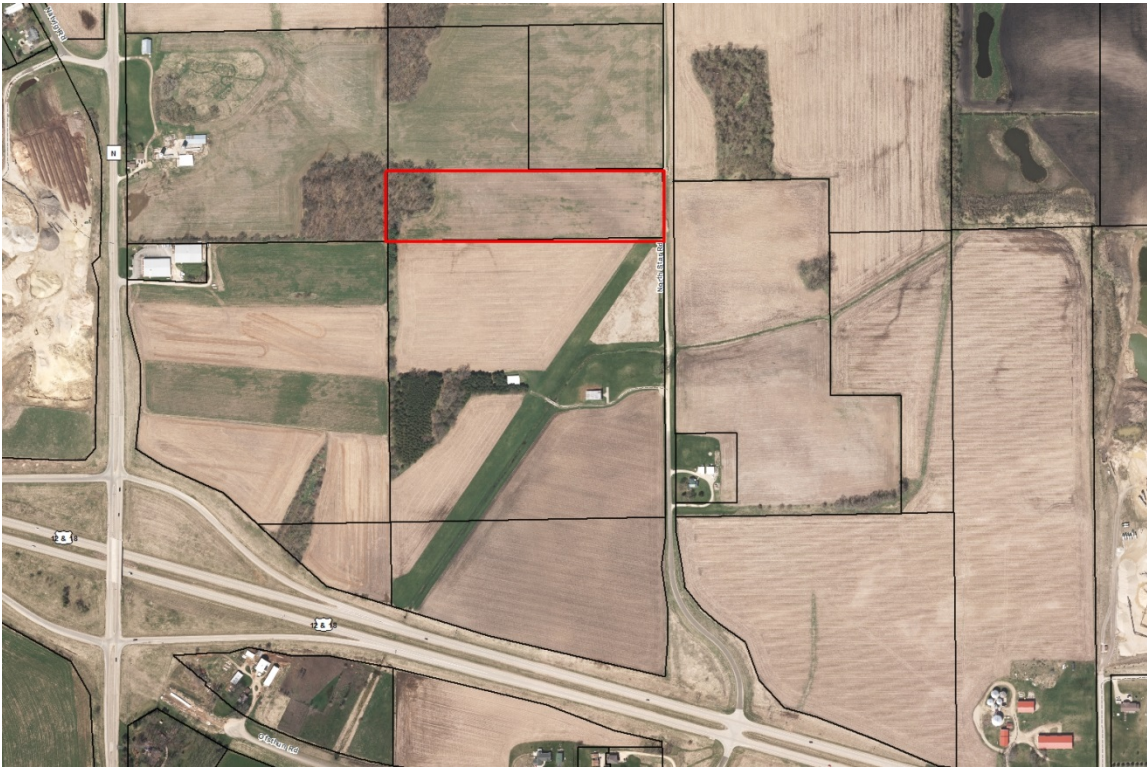


# Petition 11356 Banovetz proposed Commercial Subdivision



## **Proposal**

Mr. Banovetz would like to create an 8-lot commercial subdivision. The design would create lots under one acre in size (approximately 40,000 sqft.). The proposal includes the construction of a Town road which will provides public access to the proposed lots. The application does not provide any information on proposed storm water management for the entire development. The proposal lists a wide range of allowable land uses. The list includes retail sales businesses, restaurants, auto repair and sales, outdoor product sales, contractor businesses, landscaping businesses, light industrial manufacturing, and wholesale warehousing.

## **Property Condition**

The 10-acre property is located approximately 4/10<sup>th</sup> of a mile north of US Highway 12/18. The intersection of North Star Road and US Hwy 12/18 is fully improved providing access to both east and west directions. The property fronts on North Star Road. North Star Road is a partially improved roadway. The paved surface ends approximately 1000 feet south of the property leaving a gravel roadway for access. The current condition of the road would not be suitable for retail sales businesses.

The topography of the property is fairly flat. There is a 5% slope in the center of the property which makes the property drain to the north. The land appears suitable for commercial development. The soils consist of Dodge Silt Loam and Kegonsa Silt Loam, Class I and II soils. The property is not located within an Urban Service Area, so on-site septic systems will be required along with private wells. No information has been provided showing soil capability. The 10-acre property currently is in violation of the land division regulations. The 10-acre property was created in 1988 described in a deed as Parcel "C". The property was further separated from the Skaar property in 2018.

The property is also in violation of the current assigned zoning district classification of A-2 given the minimum 16-acre minimum size of the district.

The property is located 2.5 miles from the City of Madison boundaries. Any land division will be subject to the City of Madison's extraterritorial jurisdiction review.

## **Town Plan**

The property is located the Commercial Development Area. The plan allows for a wide range of commercial development with an emphasis on agricultural related businesses. Highway-oriented commercial development should be located in a logical location. The Town Plan policies require commercial lots to be a minimum of a 1-acre in size provided that adequate soils permit an on-site septic system. Holding tanks are prohibited. New commercial development is required to meet high standards for site, building, landscaping, storm water, and sign design. If the business requires levels of service or roads greater than what the Town can provide, the proposal will have to be modified or it may be rejected.

## **Analysis**

1. The proposed development in its current state appears to conflict with the Town's Comprehensive Plan Policies. The lots sizes are under the minimum requirements. The development would not be a logical location for highway oriented businesses (retail businesses) given the gravel road and distance from a major corridor. It may be more suitable for the land uses to be limited to contractor businesses, warehousing, or light industrial land uses.
2. The creation of a subdivision plat may be problematic due to City of Madison's extraterritorial jurisdiction. The developer should have an initial conversation with the City of Madison Planning Department on land division possibilities before continuing. As an alternative, the developer may want to look into creating a condominium plat to create unit properties.
3. The proposal lacks the essential information regarding sub-division development. A preliminary plat should be provided showing actual lot sizes, public right-of-way, and preliminary storm water management features. Soil analysis should be provided to show that soils are suitable for septic systems. A concept plan should be provided showing general building, parking, and septic locations. A narrative should be provided explaining the overall vision of the development.

## **Suggestions**

1. The proposal to zone the entire property to C-2 Commercial appears to be consistent with the Town Comprehensive plan if conditions are proposed. Given the current access (gravel road) it may be best to limit the land uses to utilitarian businesses and avoid retail or high traffic land uses.
  - a. A deed restriction could be placed on the property to limit the land uses to the following: offices, contractor businesses, light industrial, outdoor storage, and mini-warehouses. The deed restrictions could be amended in the future to allow other land uses.
  - b. To address aesthetics of the development, a deed restriction could include requirements on the design of buildings, screening of outdoor storage, landscaping, lighting, and construction of drive surfaces.
2. The developer may want to look into creating a condominium plat in the future to create additional building sites.
  - a. A condominium plat would avoid Madison ETJ review.
  - b. A private drive could be installed as an alternative to a public road.
3. In order for the current landowner to construct a commercial building on the property the following approvals are needed:
  - a. C-2 Commercial Zoning District assigned to the property.
  - b. A Certified Survey Map to be reviewed and recorded to correct land division violation.

## **Suggested Restrictions**

### **Limited Land Uses** (based on HC Heavy Commercial Zoning District)

Allowed permitted by right uses: Agricultural Uses (no livestock); contractor or landscaper operations; indoor storage; offices; outdoor storage associated with a business; personal and professional services; personal storage facilities (mini warehouses); and warehousing facilities. Allowed through a Conditional Use Permit: communication towers, and renewable energy generation.

Prohibited Uses: Billboard signs and pylon signs.

**NOTE:** Retail, Entertainment, Auto sales/repair land uses have been omitted due to the access road being gravel.

### **Site Plan Review**

All development of the property shall obtain site plan approval from the Town of Cottage Grove Board prior to the construction. The landowner shall be responsible for submitting a site plan of the property which shows proposed buildings, parking areas, outside storage areas, storm water detention, landscaping, lighting, open space areas, and septic field. The submittal shall include proposed building elevations. The landowner shall comply with the approved site plan.

### **Parking**

All parking areas, drive areas, and storage area shall be paved.

**NOTE:** The Town Board will need to decide whether or not the drive surfaces should be paved or gravel.

### **Lighting**

If parking lot lighting is installed, the light fixtures shall be mounted no higher than 20 feet. All lighting shall be direct down-lighted fixtures being dark sky compliant. Wall mounted fixtures shall be full cutoff direct down lighted fixtures. The light fixtures shall not cause element glare to the surrounding properties.

### **Outdoor Storage**

All outdoor storage areas shall be screened from view for the most extend practical. The screening shall consist of a minimum of a 6-foot fence with a minimum opacity of 80%.

### **Landscaping**

Landscaping (shrubs/bushes) shall be installed along the front side of each building. There shall be a minimum of two deciduous trees, 2" caliper, installed along the roadway for each building lot or unit. Landscaping design shall be reviewed by the Town Board as part of site plan approval.

### **Screening**

All trash receptacles shall be screened from view. The dumpsters shall be placed inside a walled enclosure using material similar to the building design.

### **Signs**

A maximum of one wall sign shall be permitted for each business. The wall signs shall face the front of the building. A maximum of one monument sign shall be permitted per lot/unit. Pylon signs and off-premise billboard signs are prohibited

### **Storm water Management**

The landowner of each lot/unit shall be responsibility for storm water management. The landowner shall be responsible for obtaining a storm water management permit from Dane County Land and Water Resources prior to development of the property.