



PREPARED FOR THE PLAN COMMISSION

Project Address: 2998 Gaston Road, Town of Cottage Grove
Application Type: Certified Survey Map (CSM) in the Extraterritorial Jurisdiction
Legistar File ID # [50682](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicant & Property Owners: Ellery Jensen; 2852 Gaston Road; Cottage Grove.

Surveyor: Tim Thorson, Royal Oak & Associates, Inc.; 3678 Kinsman Boulevard; Madison.

Requested Action: Approval of a Certified Survey Map (CSM) to create two lots from land addressed as 2998 Gaston Road, Town of Cottage Grove, in the City of Madison’s Extraterritorial Jurisdiction.

Proposal Summary: The applicant and property owner is proposing a two-lot land division to separate an existing residence and two barns located on the subject site from the remaining agricultural land. The CSM will be recorded as soon as all regulatory approvals have been granted.

Applicable Regulations & Standards: The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations. In particular, the Plan Commission shall determine that the proposed subdivision complies with each of the following criteria for approval in the extraterritorial plat approval jurisdiction:

1. The proposed subdivision or land division shall be compatible with adjacent development patterns and shall maintain the general land development pattern of the area in question. Measures of compatibility shall consider lot sizes, traffic generation, access, noise and visual features.
2. The proposed subdivision or land division and the resulting development shall not demonstrably adversely affect the City’s ability to provide public services, install public improvements or accomplish future annexations. The Plan Commission may consider annexation agreements with the property owner in order to comply with this requirement. The Plan Commission may also consider whether the City and Town(s) have reached an agreement on necessary public improvements and public services facilities required to serve the development.

Review Required By: Plan Commission.

Review Schedule: The State’s subdivision statute, Wis. Stats. Ch. 236, requires that action be taken on a Certified Survey Map within 90 days of submittal unless an extension is agreed to by the subdivider. If no action is taken within 90 days and no extension granted, the CSM is deemed approved. The CSM application was determined to be complete following the Town of Cottage Grove approval of the CSM in a letter dated March 27, 2018. Therefore, the 90-day review period for this CSM will end circa June 27, 2018.

Summary Recommendation: The Planning Division recommends that the Plan Commission **approve** this Certified Survey Map subject to input at the public hearing and the comments and conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Parcel Location: An approximately 25.1-acre parcel located on the north side of Gaston Road located opposite the northern end of Vilas Road. The southwestern corner of the subject property is located approximately 2,000 feet east of the City of Madison corporate limits (adjacent to the western edge of the Town of Cottage Grove).

Existing Conditions and Land Use: The subject site is developed with a two-story single-family residence and two barns. The property is zoned A-2 and A-2(4) (Agricultural) district per Dane County zoning.

Surrounding Land Uses: Interstate 94 forms the northern boundary of the subject site. Properties immediately surrounding the proposed lot are predominantly agricultural in character. Lands to the east along the north side of Gaston Road and within 1,000 feet of the subject site are characterized by a number of single-family residential parcels located in the Town of Cottage Grove (Cedar Knoll subdivision, etc.). A similar condition exists along the east side of Vilas Road a quarter-mile south of the site with the Nondahl Heights subdivision.

Environmental Corridor Status: The subject site is not located in the Central Urban Service Area and there are no mapped environmental corridors.

Public Utilities and Services:

Water: Property is not served by municipal water.

Sewer: Property is not served by public sewer at this time. A Madison Metropolitan Sewerage District interceptor is located 1,000 feet west of the site in Gaston Road.

Fire protection: Cottage Grove Fire Department.

Emergency medical services: Deer-Grove Emergency Medical Services.

Police services: Dane County Sheriff's Department.

School District: Monona Grove School District.

Project Description

The applicant and property owner, Ellery Jensen, is requesting approval of a Certified Survey Map to divide an existing 25.1-acre parcel in the Town of Cottage Grove on the north side of Gaston Road opposite the northern end of Vilas Road into two lots. The subject site is developed with a two-story single-family residence and two barns located on the southern half of the site, approximately midway along the property frontage along Gaston Road. Land to the west and east of the buildings is farmed. Interstate 94 forms the northern boundary of the CSM.

Lot 1 of the CSM is proposed as a 5.29-acre lot that will include all of the buildings located on the property, with the remaining 18.9 acres of the site comprising proposed Lot 2 (left right of way dedication). The applicant indicates that Lot 2 will remain agricultural land, and no additional structures are proposed on Lot 2 following the land division.

Analysis

Approval of CSM by the Town of Cottage Grove and Dane County: Section 236.10 (b) of the Wisconsin State Statutes requires that subdivisions in the City's Extraterritorial Plat Approval Jurisdiction receive approval from the town of record and Dane County prior to consideration of the request by the Plan Commission.

Dane County granted conditional approval of the Certified Survey Map as outlined in a letter from Dan Everson, Land Division Review, Dane County Department of Planning and Development dated March 13, 2018. The Town of Cottage Grove Board approved the CSM on March 5, 2018. Dane County previously approved a rezoning of proposed Lot 1 from A-2 (Agricultural District) to A-2(4) (Agricultural District) on December 27, 2017. County A-2(4) zoning allows single-family residences on lots that are a minimum of four acres in area; the land comprising Lot 2 remains zoned A-2.

City of Madison Land Use Plan: The property is located outside of the areas currently covered by an adopted City of Madison neighborhood development plan.

The Peripheral Planning Areas Map in the 2006 Comprehensive Plan identifies lands generally located between the City's Sprecher Neighborhood Development Plan and the Village of Cottage Grove – including the subject site – in Planning Area F (Group 2). Planning Area F acknowledges the existence of a significant amount of unsewered residential development in this planning area and notes that the long-term future of the area will likely not be agricultural. The Comprehensive Plan suggests that additional residential development may be appropriate in the portions of the planning area, with an increased housing variety recommended. Portions of the planning area may also be suitable for neighborhood mixed-use nodes if future residential densities are supportive. However, some of Planning Area F is also recommended for a potential permanent open space zone to separate Madison from the Village of Cottage Grove to the east. Additional neighborhood planning will be required to determine the future uses in this area, and any future planning by the City will likely depend on the establishment of an agreement between the City and town and village of Cottage Grove.

The site is not located in the Central Urban Service Area. However, a Madison Metropolitan Sewerage District interceptor is located 1,000 feet west of the site in Gaston Road, which could provide service to this site as well as properties north of Interstate 94 and east of Reiner Road in the future. City of Madison water is located further to the west across the Door Creek open space on Milwaukee Street.

Conclusion

The Planning Division generally believes that the Plan Commission can find the approval criteria met with the proposed land division. Staff does not believe that the proposed 5.3-acre lot for the residence and barns would be incompatible with the development pattern present in this area, which as noted earlier in this report, predominantly consists of large agricultural tracts and a few single-family home sites immediately surrounding the site. The land division should not have an adverse impact on any future annexation of the subject site or surrounding properties to the City of Madison, or the ability to extend water or sanitary sewer services to this area in the future. Likewise, the land division is not inconsistent with long-term vision for Peripheral Planning Area F in the 2006 Comprehensive Plan, which calls for a combination of future residential development and community separation open space.

Recommendation

The Planning Division recommends that the Plan Commission **approve** the Certified Survey Map of property addressed as 2998 Gaston Road, Town of Cottage Grove, in the City's extraterritorial plat approval jurisdiction subject to input at the public hearing and the following conditions:

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

City Engineering Division (Contact Brenda Stanley, 261-9127)

This agency submitted a response with no comments or conditions for this request.

City Engineering Division – Mapping Section (Contact Jeff Quamme, 266-4097)

1. Prior to City Engineering final sign-off by main office for Certified Survey Maps (CSM), the final CSM must be submitted to Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the **final** CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com
2. The dimensioning on this Certified Survey Map shall be updated to fully comply with the requirements of Wis. Stats. Section 236.34.
3. Indicate that Interstate 94 width varies.
4. The right of way of Gaston Road within the Certified Survey Map shall be dedicated for public road purposes on the map and the certificates modified accordingly. Also areas shall be modified removing any area within a dedicated right of way.
5. The centerline of Gaston and the quarter line appear to deviate from one another. Clarify the boundary and centerline in this area. Also, title does not exist south of the south line of the quarter-quarter line per the vesting deed.
6. Provide the recorded as values of the tie to the section line and the length of the east line of this Certified Survey Map.
7. Provide the coordinate values of the section corners on the map.
8. The found monuments shall state the outside diameter and the monument type. The Section corners shall state the monument type found at the corner.
9. The header of each sheet and the legal description shall acknowledge that this CSM is part of the "fractional" NW 1/4 of the NE 1/4.
10. Add the City of Madison to the Surveyor's Certificate for compliance with land division ordinances as this is within the City's Extraterritorial Jurisdiction.
11. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme (jrquamme@cityofmadison.com), City Engineering. If a new tie sheet is not required under

A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The Applicant shall identify monument types on all PLS corners included on the Plat. Note: Land tie to two PLS corners required.

12. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe PDF format. The digital CADD file shall be submitted in the WisDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any original submittal of data and prior to final sign off.

Traffic Engineering Division (Contact Eric Halvorson, 266-6527)

This agency submitted a response with no comments or conditions for this request.

Zoning Administrator (Contact Pat Anderson, 266-5978)

This agency submitted a response with no comments or conditions for this request.

Fire Department (Contact Bill Sullivan, 261-9658)

This agency submitted a response with no comments or conditions for this request.

Water Utility (Contact Dennis Cawley, 261-9243)

This property is outside the Madison Water Utility service area.

Office of Real Estate Services (Lance Vest, 245-5794)

13. Signature block certifications shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Please revise the title of the Owner's Certificate by removing the words "of Dedication". The title of each certificate shall be consistent with the ownership interest reported in the most recent title report. The executed original hard stock recordable CSM shall be presented at the time of sign-off.
14. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to CSM approval sign-off

15. All ownership consents and certifications for the subject lands shall conform to Wis. Stats. 236.21(2) and 236.29 by including the language "...surveyed, divided, mapped and dedicated..."
16. The 2017 real estate taxes are paid for the subject property. Per 236.21(3) Wis. Stats. the property owner shall pay all real estate taxes and special assessments that are accrued or delinquent for the subject property prior to CSM recording. This includes property tax bills for the prior year that are distributed at the beginning of the year.
17. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Lance Vest in City's Office of Real Estate Services (lvest@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (January 26, 2018) submitted with the CSM application and include all associated documents that have been recorded since the initial title report. A title commitment may be provided, but will be considered only as supplementary information to the title report update. The surveyor shall update the CSM with the most recent information reported in the title update.
18. The owner shall email the document number of the recorded CSM to Lance Vest in the City's Office of Real Estate Services as soon as the recording information is available.