



PLANNING STAFF REPORT

MEMO DATE: March 29, 2019

MTG. DATE: **APRIL 1, 2019**

TO: Village of Cottage Grove Board of Trustees

CC: Matt Giese – Village Administrator
Lisa Kalata – Village Clerk

FROM: [Erin Ruth, AICP – Village Planning Director](#)
Michael Maloney – Village Engineer

RE: **Shady Grove Subdivision Rezoning**

BACKGROUND

Property Owner: Shady Grove, LLC

Location: 2863 County Highway BB

Area: 36.48 acres

Agent: Jessica Vaughn – Planner, JSD Professional Services
Robert Procter – Attorney, Axley Brynelson
Mary Sharata – Owner, Monona Grove Development, Inc. & Shady Grove LLC

Existing Zoning: RH, Rural Holding

Proposed Zoning: SR-4 and Park & Open Space

Future Land Use Plan: Planned Neighborhood

OVERVIEW

The applicant, Monona Grove Development/Shady Grove LLC, is seeking approval of rezoning for the Shady Grove subdivision. The property is located south of Cottage Grove Road/Highway BB, to the southwest of Glacial Drumlin Middle School, and west of the Town of Cottage Grove's Meadow Grove subdivision.



Location Map

The request for rezoning was approved with conditions by the Plan Commission 6-1 at the December 12, 2018 meeting. At their December 17, 2018 meeting the Village Board tabled the rezoning until after another neighborhood meeting was held.

The neighborhood meeting was held on February 6, 2019. Notes recapping that meeting are attached. The Village Board followed up by discussing the outcome of the neighborhood meeting at their February 18, 2019 meeting. Those meeting minutes are attached with the relevant portion highlighted.

At this time the applicant has submitted a revised concept plan for consideration based on the input received at the above meetings. They are seeking approval of the zoning for the single-family residential lots and outlots, while postponing any zoning decisions on the proposed multi-family parcels along W. Cottage Grove Road.

Any approval, if granted, shall be conditioned to become effective only upon the approval and recording of a revised final plat to be based on a concept plan deemed acceptable to the Village Board.



SUMMARY OF ISSUES AND ORDINANCE AND COMP PLAN CONSISTENCY

Buss Road

- Ensuring that Buss Road is a through street was a prime concern at the neighborhood meeting.
- The proposed plan extends Buss Road through to the south side of the plat, allowing it to continue to Vilas Road if the land to the south ever develops.
- At the current conceptual level, the Buss Road ROW is shown to be the same width as the other internal streets. Given that it is now a through street and that the bike path will need to be included in the ROW, it is presumed that the Buss Road ROW will be widened during the platting process when more detailed engineering analysis occurs.
- Access via Fundamental Way remains, but that street is no longer a through street to the south. The bike path previously included along Fundamental Way will be shifted to Buss Road.

Lot Dimensions

- Lots are not dimensioned on the concept plan. All lots must meet the minimum standards of the SR-4 zoning district (including a min. 80' width, min. 50' street frontage, and min. 10,000 sq. ft. lot size. Lot dimensions will be verified during the platting process. Any lots not meeting the minimum standards will need to be adjusted.
- While not dimensioned, the lots backing up to the adjacent Meadow Grove subdivision are shown to be wider than the typical 80' standard. Widening these lots to create more of a transition to the adjacent Town neighborhood was discussed at the neighborhood meeting.

Unit Counts

- The applicant is not currently seeking zoning approval for the multi-family lots. The proposed unit numbers in the applicant's memo require approval of TR-8 and MR-12 zoning and will also require a conditional use permit. All these approvals will be necessary prior to development.
- Any future project larger than two units requires site plan approval (including review of building elevations) prior to development.
- The number of proposed single-family (SR-4) residential lots has been reduced from 60 in the previous plan to 57 in the current proposal.

Planned Neighborhoods

- Unit mix
 - Per the Comp Plan, the Planned Neighborhood designation encourages a mix of a min. 65% single-family units, up to 15% duplex units, and up to 20% multi-family units.
 - The current zoning request includes only the single-family residential parcels (and outlots).
 - If Shady Grove were to be treated as a neighborhood in and of itself, then the ratios at final build out could be achieved if the proposed 4 unit parcels are built out as duplexes (10 units), and if the multi-family parcel includes not



more than 16 units. In that case single family would comprise 69% (57/83), duplex (12%), and multi-family 19%.

- Non-residential uses
 - Non-residential uses such as community facilities, parks and open space, neighborhood office, and neighborhood business may be included as deemed appropriate.
 - Staff has previously suggested that Planned Business or Neighborhood Business zoning could be applied to Lot 63 in place of the proposed multi-family zoning. A mixed-use building at that site also generated positive feedback at the neighborhood meeting.

Parkland Dedication

- The park proposed in the current plan is slightly smaller (0.52 acres) than the park in the previous plan (0.566 acres). However, it should be noted that 0.16 acres of the previous park was located within the Koch pipeline easement. While some park activities could take place in the easement, its presence affected the flexibility of the placement of amenities. The park in the current plan is not affected by the pipeline easement, and the entire area can be used without those restrictions.
- The proposed location is more centrally located within the plat than the previously proposed location.
- The off-road path in lieu of sidewalk formerly proposed along Fundamental Way will be shifted to Buss Road. The proposed park will be fronted by that path.
- Per Village ordinance, the Village Board ultimately determines the usefulness or appropriateness of the proposed land dedication and has the ability to choose to accept a fee in lieu instead of land.
- Park & Rec Committee makes recommendations, based on their interest and expertise, to the Board regarding issues related to the park system – in this case they unanimously recommended accepting a small park with fee in lieu for the remainder.

Woodlands

- It is recognized that there are several large trees of high value located in the woodlands on the SW portion of the site. Opinions appear to vary regarding the health and quality of the woods generally.
- Buss Road has been oriented to skirt the outside of the woods. However, the proposed plan shows a cul-de-sac and several single-family lots within the woods. The lots are not dimensioned, but the wooded lots generally appear to be smaller than those shown in that area in the previous plan. Based on the ROW shown and the likely placement of building envelopes on those lots, it may be difficult to preserve a number of the large trees shown. It may be possible for the applicant to make adjustments in this area to place large trees close to proposed lot lines and outside of building envelopes.
- As the weather warms, the Village Forester may be able to make a better judgement regarding the health and quality of the larger trees in this area.
- Proposed Shady Grove final plat includes covenants calling for Village Staff to approve tree removal, arguably a higher standard than relying on an environmental



consultant jointly selected by the Village and the developer as was the case at Coyle South.

STAFF RECOMMENDATION

At least six votes will be required to approve the requested zoning. Any approval should be based on the concept plan as shown or as may be revised by the Village Board during discussion at the meeting.

The concept plan will still need to advance through the full preliminary and final plat process.

1. Rezoning shall only take effect upon the Village Board's approval and the applicant's subsequent recording of an amended Preliminary Plat and Final Plat that is substantially similar to the concept plan provided. This process will include detailed engineering by the applicant and engineering review by the Village. As a result, various changes to the current plan may be required. While the plat should be substantially similar to the concept, further study of ROW widths, traffic issues, size of stormwater facilities, location of a lift station, large tree locations or other factors may lead to changes. These should be expected and should not invalidate approval of the concept so long as the general arrangement of land uses, the configuration of Buss Road, the general street location, and the access points from Highway BB remain consistent with the concept.
2. In the amended plat, parcel configurations and lot numbering will change to some degree. Therefore, rather than assigning zoning districts to specific parcels, SR-4 zoning shall be granted to no more than 57 parcels (not to exceed the number shown on the concept plan).
3. The unit numbers proposed on the future multi-family sites will require rezoning. These parcels will be rezoned at a future date as specific development proposals arise. In addition, approvals of conditional use permits and or planned unit developments would be required to achieve the listed unit counts. Such approvals are neither implied nor guaranteed, and shall be reviewed at the time of the submittal based on the content of those applications.
4. The revised Preliminary and Final Plat shall go through the full submittal and review process as defined by Village Ordinance. Approval of the revised plat is neither implied nor guaranteed, and will be judged by the content of the proposed amended plat. Note that if the revised plat is not approved then the current Final Plat remains in place, but this rezoning approval would not be in effect as it pertains only to the amended plat.