

**TOWN OF COTTAGE GROVE
PLAN COMMISSION RESOLUTION 2024-07-24**

**RECOMMENDING CONDITIONAL APPROVAL OF THE
PRELIMINARY PLAT OF SWALHEIM BUSINESS PARK**

WHEREAS, Duane Swalheim (the “Developer”), on behalf Swalheim 2011 Revocable Trust, which owns the property described as Lot 4, Certified Survey Map No. 16140 (the “Subject Property”) has requested approval of a preliminary plat for the Subject Property; and,

WHEREAS, the Developer submitted an application for preliminary plat approval and the preliminary plat review fee to the Town of Cottage Grove (the “Town”); and,

WHEREAS, the proposed preliminary plat, Swalheim Business Park, attached hereto as Exhibit A, consists of Lots 1-4 for commercial business development, Outlot 1, and a new street, and is located in the S W ¼ of the SW ¼ of Section 27, T7N, R11E, in the Town; and,

WHEREAS, the Plan Commission recommends approval of the Preliminary Plat to the Town Board subject to conditions;

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the Town of Cottage Grove as follows:

The Town of Cottage Grove Plan Commission recommends approval of the Swalheim Business Park Preliminary Plat subject to the following conditions:

1. The Developer is required to develop the Preliminary Plat in compliance with all applicable State statutes and Town ordinances and in accordance with generally acceptable engineering standards in the Town, as determined by the Town Engineer.
2. The Developer shall satisfy to the satisfaction of the Town Engineer all items listed in the Town Engineer’s review letter dated June 3 2024, attached hereto as Exhibit B.
3. The Developer shall execute and record one or more temporary grading and construction easement agreements as determined necessary by the Town Engineer, and as approved in form by the Town Attorney.
4. The Developer shall execute and record one or more drainage easement agreements as determined necessary by the Town Engineer, and as approved in form by the Town Attorney.
5. The Developer shall obtain from County Land and Water Resources Department (“LWRD”) all reviews and permits necessary for: (a) soil and erosion control within the Preliminary Plat; and, (b) stormwater management facilities that fully satisfy County requirements and address stormwater runoff issues related to the Preliminary Plat.

6. The Developer shall provide the Town written certification from the Developer's engineer, in the same format as required by County LWRD, that the stormwater management facilities as-built are in compliance with all applicable permits and are operating in accordance with the approved design.
7. The Developer shall establish design requirements and construction standards for the street improvements within the Plat and the improvements to North Star Road related to this Preliminary Plat in accordance with Town specifications as approved by the Town Engineer.
8. The Developer shall enter a Development Agreement with the Town regarding the development of the Preliminary Plat acceptable to the Town Attorney. The Development Agreement shall be drafted by the Town Attorney and reviewed by the Town Engineer and Town Board. When approved by the Town Board, the Development Agreement shall be executed by and between the Developer and Town. The Final Plat shall not be signed by the Town until the Development Agreement is fully executed.
9. The Developer shall obtain written confirmation from the Town Engineer of "no objection" to the Construction Plans and Specifications for all public improvements prior to construction.
10. The Developer shall obtain approval of the Preliminary Plat from the Cottage Grove Fire Department and the Deer-Grove EMS District and present such approval to the Town.
11. The Developer shall obtain written confirmation of appropriate rezoning of the Preliminary Plat from Dane County and present such confirmation to the Town.
12. In addition to those outlined above, the Developer shall obtain all required approvals from other approving authorities, as required by law.
13. The Developer shall promptly reimburse the Town for all costs and expenses incurred by the Town in connection with the review and approval of the Preliminary and Final Plat, including, but not limited to, the costs of professional services incurred by the Town for the review and preparation of required documents, attendance at meetings, or other related professional services.
14. The Plan Commission's recommendation for approval of the Preliminary Plat expires one hundred eighty (180) days from the date of adoption of this Resolution unless the Developer has satisfied all conditions of approval stated herein. Time is of the essence. If the Developer encounters an unforeseen development delay, it shall immediately advise the Town Clerk and may request an extension.

The above and foregoing Resolution was adopted at a meeting of the Plan Commission of the Town of Cottage Grove held on the 24th day of July, 2024, by a vote of 7 in favor and 0 opposed.

TOWN OF COTTAGE GROVE PLAN COMMISSION



Kris Hampton, Plan Commission Chair

Attested:


Tracy R. Erickson
Secretary
Plan Commission Member

Incorporated by Reference:

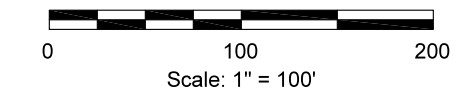
- Exhibit A Preliminary Plat for Swalheim Business Park
- Exhibit B Town Engineer Review Letter dated July 23, 2024

EXHIBIT A

Preliminary Plat

SWALHEIM BUSINESS PARK

Lot 4, Certified Survey Map No. 16140, recorded in Volume 119 of Certified Survey Maps of Dane County on Pages 134-135 as Document No. 5870098, located in the Southwest 1/4 of the Southwest 1/4, Section 27, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin



Surveyor's Certificate:

I, Mark A. Pynnönen, Professional Land Surveyor S-2538, do hereby certify that in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the Town of Cottage Grove Code of Ordinances, and under the direction of the owners listed herein, I have surveyed, divided and mapped SWALHEIM BUSINESS PARK and that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed and is a parcel of land as described below:

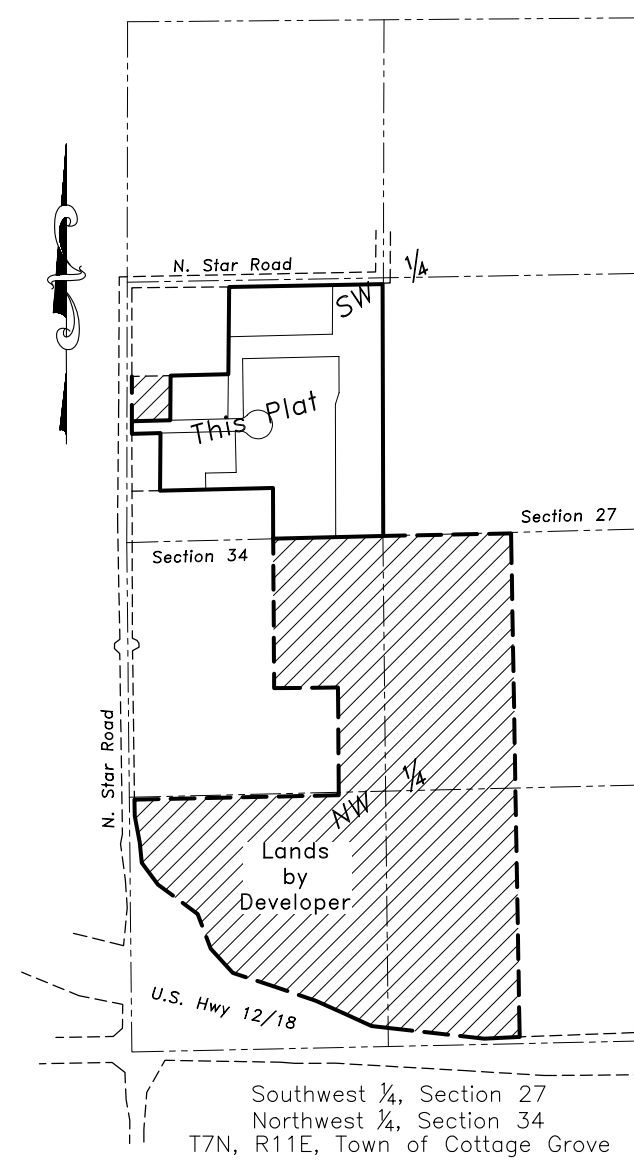
Lot 4, Certified Survey Map No. 16140, as recorded in Volume 119 of Certified Survey Maps of Dane County on Pages 134-135, located in the Southwest 1/4 of the Southwest 1/4, Section 27, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin, containing 1,208,422 square feet, or 27.742 acres.

Mark A. Pynnönen, PLS No. 2538

Notes:

1. The proposed number of lots is 4 with one outlet.
2. Gross area in this preliminary plat = 1,208,422 square feet, or 27.742 acres.
3. This survey is subject to any and all agreements and easements of record and those that may have not been recorded.
4. Before any digging, boring, construction, etc., is done on or near the lands in this subdivision, Diggers Hotline shall be called at 1-800-242-8511 for the safety and liability purposes for all involved.
5. The lands within this subdivision shall be served by underground utilities.
6. The lands within this subdivision are located in UNSHADED ZONE X, areas determined to be outside 0.2% annual chance floodplain, per FEMA Flood Insurance Rate Map, Map No. 55025C0462H, Revised September 17, 2014.
7. Property currently zoned FP-1. Proposed zoning GC, General Commercial District; and UTR, Utility, Transportation and ROW District; per Petition Number DCPREZ-2023-11960 pending approval.
8. Contour interval = 2 feet. Vertical datum NAVD '88 ('91). Contours shown are pre-development.
9. Street name Pandella Lane to be approved by Dane County.
10. Utility easements shall be added as required by appropriate utility companies.
11. Pandella Lane and N. Star Road to be dedicated to the public for street purposes.
12. This is a PRELIMINARY PLAT. All distances and areas are approximate and subject to change upon final platting.
13. Lands encompassed by this plat currently used for agricultural purposes.
14. Future lot owners are hereby notified of farming activities in the vicinity.
15. Vehicular access to N. Star Road from Lot 4 or Outlet 1 prohibited except for agricultural purposes until N. Star Road is improved to town road standards.
16. Outlet 1 to be dedicated to the public for storm water management.
17. Wetlands delineation per report prepared by Taylor Conservation LLC, dated June 11, 2021.
18. Individual lot owners responsible for driveway culvert maintenance and/or replacement.
19. Septic areas approximate. Individual lots require testing for precise septic system type and placement.
20. Setbacks for GC zoning: Front/Road, 30 feet; Side, 10 feet; Rear, 10 feet; Septic area/10 feet.
21. Lot 4 to remain unbuildable (no building permits granted) until plans are supplied and approved for the section of N. Star Road along the northern plat line (See Note 15 above).

Location Sketch
Not to Scale



Bearings referenced to the West
#27-7-11, Survey #20050512

Zoning Descriptions:

Zoning description (to UTR): Part of Lot 4, Certified Survey Map No. 16140, recorded in Volume 119 of Certified Survey Maps of Dane County on Pages 134-135 as Document No. 5870098, located in the Southwest 1/4 of the Southwest 1/4, Section 27, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin, described as follows: Commencing at the Southwest Corner of said Section 27; thence N88°54'15"E (recorded as N89°27'26"E), 1085.17 feet along the South line of Southwest 1/4 to the point of beginning; thence N00°08'52"E, 692.52 feet; thence N17°49'31"E, 62.93 feet; thence N00°08'52"E, 190.27 feet; thence S88°53'13"W, 502.57 feet; thence S00°27'01"E, 308.86 feet to a point on a curve; thence along a non-tangential curve to the right having a radius of 50.00 feet and a chord bearing and length of S78°47'31"W, 17.53 feet; thence S88°53'13"W, 63.40 feet; thence N00°47'38"E, 428.29 feet; thence N88°53'13"E, 540.96 feet; thence N00°42'40"E, 256.69 feet to a Southerly right-of-way line of N. Star Road; thence N89°13'48"E, 260.20 feet along said Southerly right-of-way line to the East line of said Southwest 1/4 of the Southwest 1/4; thence S00°08'52"W, 1313.62 feet along said East line to the aforesaid South line; thence S88°54'15"W, 247.73 feet along said South line to the point of beginning; Containing 413,565 square feet, or 9,494 acres.

Zoning description (to GC): Part of Lot 4, Certified Survey Map No. 16140, recorded in Volume 119 of Certified Survey Maps of Dane County on Pages 134-135 as Document No. 5870098, located in the Southwest 1/4 of the Southwest 1/4, Section 27, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin, described as follows: Commencing at the Southwest Corner of said Section 27; thence N88°54'15"E (recorded as N89°27'26"E), 758.93 feet along the South line of Southwest 1/4 to the point of beginning; thence N00°05'53"E (recorded as N00°38'51"E), 264.00 feet; thence S88°53'24"W, 589.39 feet; thence N00°47'38"E, 300.27 feet; thence S88°53'13"W, 150.02 feet to the East right-of-way line of N. Star Road; thence N00°48'10"E, 66.04 feet along said East right-of-way line; thence N88°53'13"E, 200.04 feet; thence N00°47'38"E, 233.13 feet; thence N88°53'13"E, 300.89 feet; thence N00°47'38"E, 455.10 feet to the Southerly right-of-way line of N. Star Road; thence N89°13'48"E, 540.50 feet along said Southerly right-of-way line; thence S00°42'40"W, 256.69 feet; thence S88°53'13"W, 540.96 feet; thence S00°47'38"W, 428.29 feet; thence N88°53'13"E, 63.40 feet and a point on a curve; thence along a non-tangential curve to the left having a radius of 50.00 feet and a chord bearing and length of N78°47'31"E, 17.53 feet; thence N00°27'01"W, 308.86 feet; thence N88°53'13"E, 502.57 feet; thence S00°08'52"W, 190.27 feet; thence S17°49'31"W, 62.93 feet; thence S00°08'52"W, 692.52 feet to the aforesaid South line; thence S88°54'15"W (recorded as S88°27'26"W), 326.24 feet along said South line to the point of beginning; Containing 794,857 square feet, or 18,247 acres.

Legend:

- = Found 1" Iron Pipe
- ⊙ = Found 3/4" Rebar
- = Set 1-3/4" x 30" rebar Weight = 4.303 lbs./ft.
- × = Unmonumented angle point
- ← = Post-development drainage direction
- ⊕ B-5 = Soil Boring with Elevation
- ⊕ TP-5 = Test Pit with Elevation
- ⊕ = Septic Area with Proposed Type (Protect from grading)
- GC, UTR = Zoning Boundary
- Proposed Zoning
- 75' Wetland Buffer = Wetlands boundary and setback
- = Building Setback Line

CURVE	RADIUS	ARC	DELTA	CHORD BEARING	CHORD
C6	50.00'	42.23"	48°23'40"	N64°41'23"E	40.99'
C7	50.00'	17.62"	20°11'23"	N78°47'51"E	17.53'
C8	50.00'	24.61"	28°12'16"	N54°35'41"E	24.37'
C9	75.00'	362.32"	276°47'19"	N01°06'47"W	99.60'
C10	50.00'	42.23"	48°23'40"	N66°54'57"W	40.99'
C11	50.00'	63.71"	73°00'14"	S54°16'05"E	59.48'
C12	80.00'	239.64"	171°37'51"	N76°25'06"E	159.57'

75' Wetland Buffer line

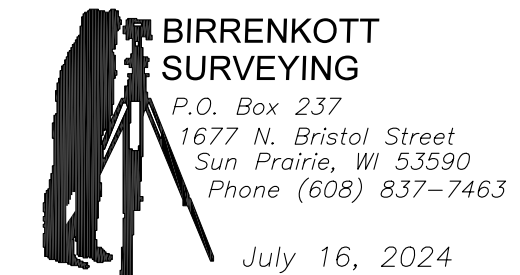
CURVE	RADIUS	ARC	DELTA	CHORD BEARING	CHORD
C1	75.00'	83.98"	64°09'08"	S05°39'46"W	79.66'
C2	75.00'	43.26"	33°02'47"	N31°49'30"E	42.66'
C3	75.00'	25.14"	19°12'21"	N04°27'41"W	25.02'
C4	75.00'	35.19"	26°52'50"	N36°25'13"W	34.86'
C5	75.00'	36.39"	27°48'11"	N02°39'08"E	36.04'

75' Wetland Buffer line

LINE	BEARING	DISTANCE
L1	S11°12'22"E	29.89'
L2	S18°55'14"E	35.17'
L3	S10°17'55"E	41.05'
L4	S36°57'41"W	16.82'
L5	S26°24'48"E	32.63'
L6	S52°46'18"E	14.22'
L7	S03°34'14"W	61.68'
L8	S04°49'54"E	18.38'
L9	S01°36'57"W	127.60'
L10	S00°22'50"E	103.46'
L11	S60°16'07"W	7.60'
L12	S48°20'53"W	19.39'
L13	S15°18'06"W	25.17'
L14	S05°08'29"W	25.36'
L15	S14°03'52"E	27.02'
L16	S24°47'13"E	25.09'
L17	S27°34'42"E	15.21'
L18	S23°16'24"E	24.10'
L19	S01°27'56"W	130.82'
L20	S03°15'14"E	39.79'
L21	S07°03'49"W	29.72'
L22	S00°46'12"W	111.58'
L23	S04°09'11"W	20.10'
L24	S01°54'54"E	25.32'
L25	S10°33'23"E	118.36'
L26	S15°59'39"W	22.65'
L27	N89°13'48"E	120.62'
L28	N88°54'15"E	79.70'

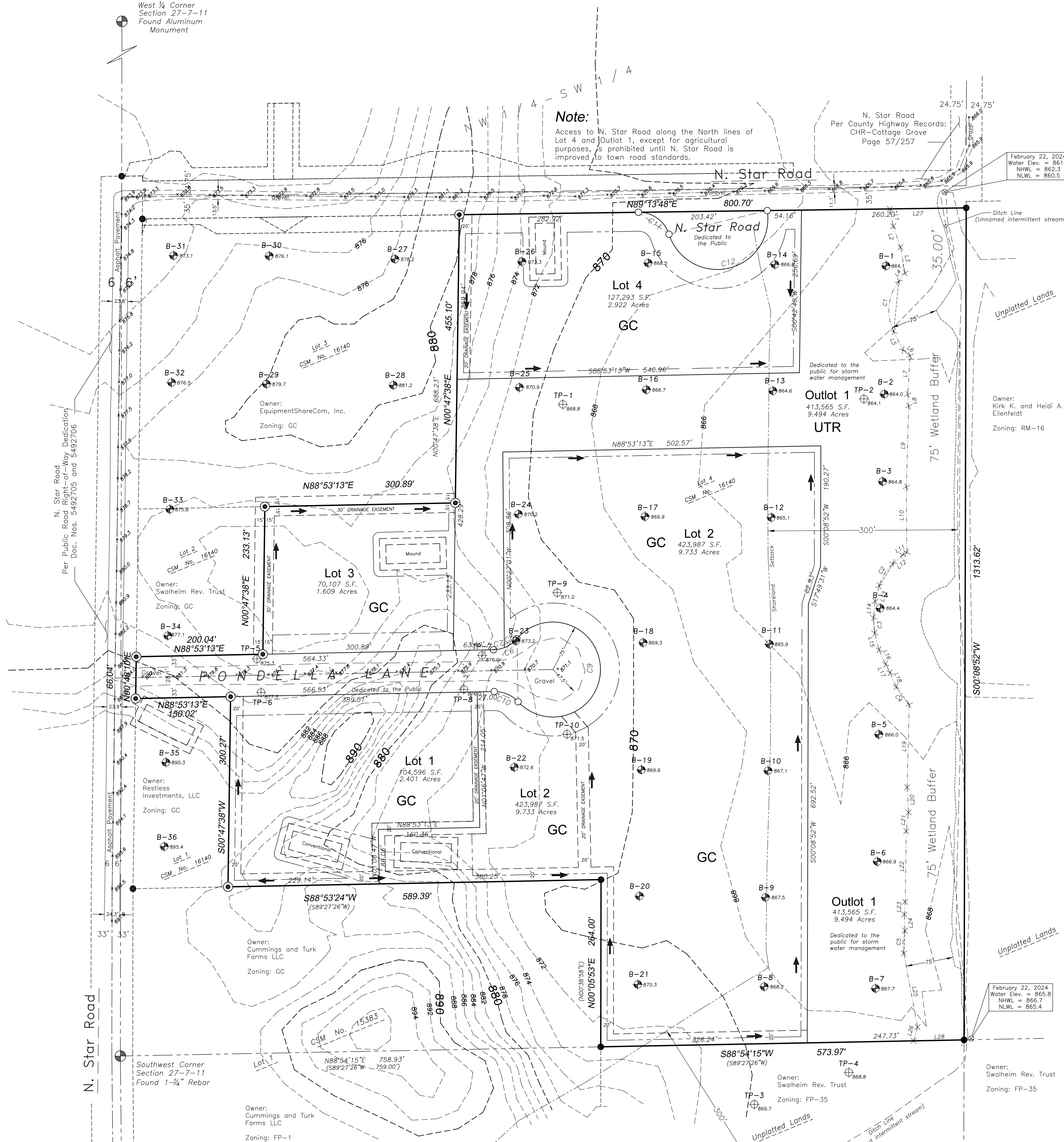
OWNER/SUBDIVIDER
Duane P. and Candace J. Swalheim Rev. Trust
436 Connie Street
Cottage Grove, WI 53527
608-335-4057

ENGINEER
Quam Engineering
2011 Revocable Trust
Sun Prairie, WI 53590
McFarland, WI 53558
608-838-7750



July 16, 2024

L:\2021\210194-Swalheim\210194-Preliminary Plat v6



Note:
Access to N. Star Road along the North lines of Lot 4 and Outlet 1, except for agricultural purposes, is prohibited until N. Star Road is improved to town road standards.

February 22, 2024
Water Elev. = 861.4
NHWL = 862.3
NLWL = 860.5

Owner:
Kirk K. and Heidi A. Ellenfeldt
Zoning: RM-16

Outlet 1
413,565 S.F.
9,494 Acres
UTR
Dedicated to the public for storm water management

Owner:
Cummings and Turk Farms LLC
Zoning: FP-1

Owner:
Swalheim Rev. Trust
Zoning: FP-35

Owner:
Swalheim Rev. Trust
Zoning: FP-35

West 1/4 Corner
Section 27-7-11
Found Aluminum
Monument

N. Star Road
Per Public Road Right-of-Way Dedication
Dec. Nos. 5492705 and 5492706

N. Star Road

Southwest Corner
Section 27-7-11
Found 1-3/4" Rebar

July 23, 2024

Ms. Kim Banigan
Town Clerk
Town of Cottage Grove
4058 C.T.H. N
Cottage Grove, WI 53527

Subject: Proposed Swalheim Business Park Construction Plan Review #4

Dear Kim:

We have received the proposed revised construction plans dated July 17, 2024 and proposed preliminary plat dated July 16, 2024 for a development proposed to be located at the southeast corner of North Star Road. The proposed plat is subject to Chapter 15 of the Town's code of Ordinances – Land Division and Planning Code (Revised 03-07-2022). There are a number of items, in part listed below, that should be satisfactorily resolved before approving the construction plans. However, the documents could be approved contingent upon said items.

Plat Documents

- The swales will require driveway culverts. Sizing calculations should be submitted to confirm the 18-inch proposed size is adequate for lots 3 and 4.

Sheet C-4 and C-5

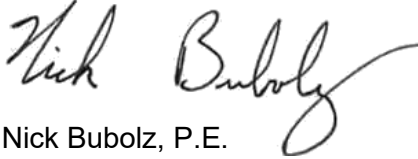
- Roadway detail shall have an asphaltic binder thickness of 2.25".
- The Developer's connection with North Star Road sight distance standards for the connection with North Star Road indicated 30 mph. It is recommended the speed be adjusted.

Sheet C-6 and C-9

- Provide the necessary sheet showing the permanent drainage easement going north for the culvert at station 231+25 to a water of the state.
- Roadway detail shall have an asphaltic binder thickness of 2.25".
- With the cul-de-sac not constructed at the end of the parcel, it could hinder future development. The Town can decide to address this when the field north of North Star Road (east/west segment) is developed.
- The board shall discuss if N. Star Road should be classified as part of the Neighborhood Connector Streets for a roadway detail including 5-foot bike lanes with the potential to connect to Nora Road and/or Natvig Road.

Please feel free to contact us with any questions or comments regarding this review.

Very truly yours,
TOWN & COUNTRY ENGINEERING, INC.

A handwritten signature in black ink that reads "Nick Bubolz". The signature is written in a cursive, flowing style.

Nick Bubolz, P.E.

cc: Mr. Kris Hampton, Town of Cottage Grove (*via email*)
Mr. Dan Dresen, Town of Cottage Grove (*via email*)
Mr. Adam Ryan, P.E., Quam Engineering, LLC (*via email*)

NRB:nrb

J:\JOB#S\Cottage Grove\CG-46-M6 Swalheim Development\2. Client Correspondence\Review Letter - 4th.docx

AFFIDAVIT OF POSTING OF
TOWN OF COTTAGE GROVE RESOLUTIONS AND ORDINANCES

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

I, Kim Banigan, Cottage Grove Town Clerk-Treasurer, being first duly sworn, on oath, state as follows:

On July 29, 2024 the following was duly posted on the Town of Cottage Grove's internet site and on the Cottage Grove Town Hall Bulletin board, all in accordance with TCG 25.01(4) and Wis. Stats., §60.80.

**Plan Commission Resolution 2024-07-24
Recommending Conditional approval of the Preliminary Plat of
Swalheim Business Park**


_____ Kim Banigan, Town Clerk-Treasurer

Subscribed to and sworn before me
this 29th day of July, 2024.


_____ Deputy Clerk

or

(print name)
Notary Public, State of Wisconsin
My Commission expires: _____