



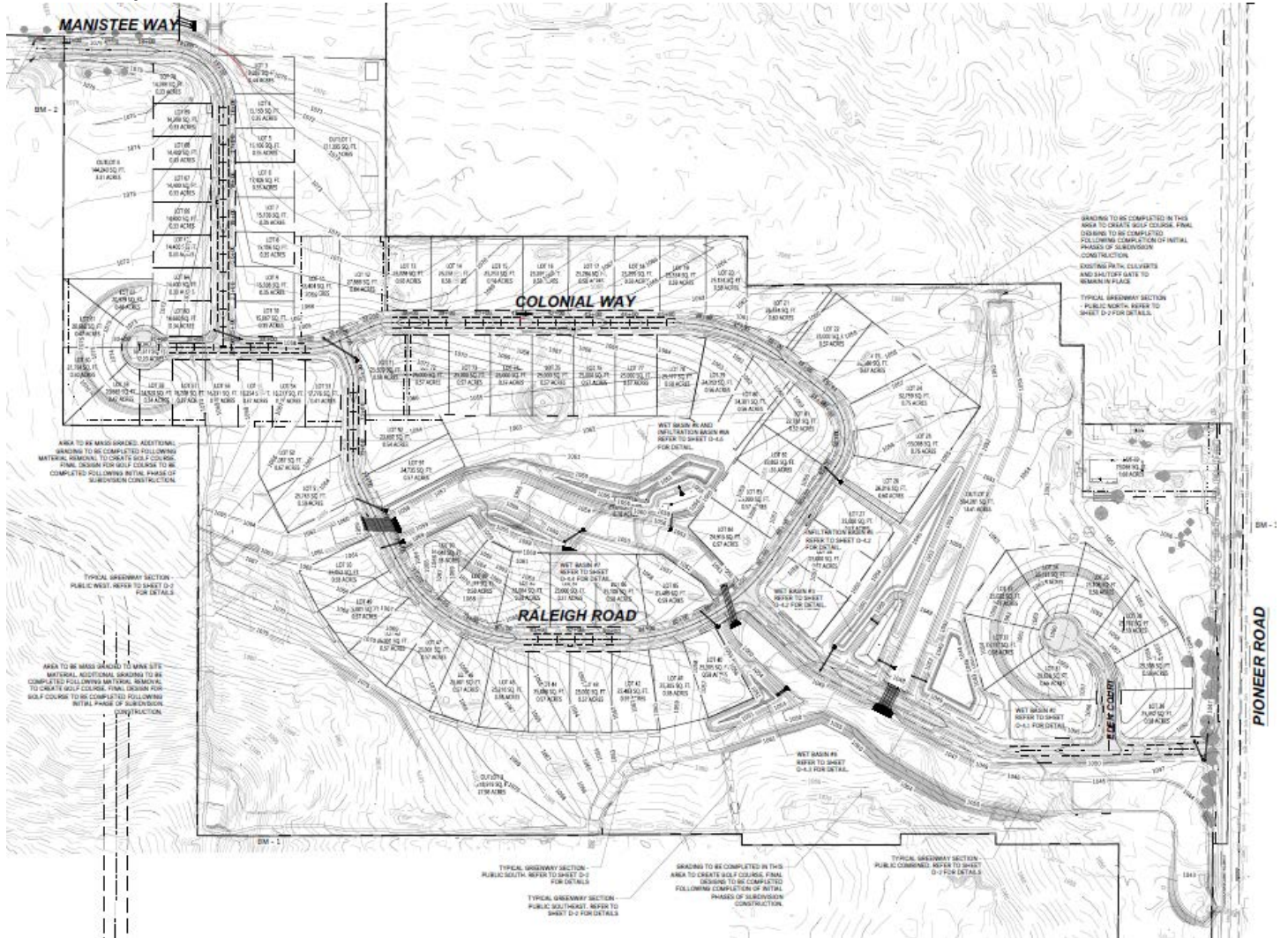
**DANE COUNTY HIGHWAY:** County Highway S (Mineral Point Road) is a controlled access highway. No new access points with the permitted. Access points for the subdivision will be from Pioneer Road (east) and Welcome Drive (north). Both roadway intersections will be improved next year to accommodate additional traffic loads.

**RESOURCE PROTECTION:** No areas of resource protection corridor are located on the property.

**FEBRUARY 12, 2019 ZLR COMMITTEE PUBLIC HEARING:** Action was postponed on the petition due to inconsistency with the then-adopted town comprehensive plan and concerns identified by staff.

**APRIL 9, 2019 ZLR COMMITTEE WORK MEETING:** Action was postponed until sewer services were determined and stormwater management further analyzed.

**Revised Proposal:**



**STAFF UPDATE:** The town has reviewed the revised proposal and again approved the rezoning. The proposal is consistent with the currently adopted town plan.

Staff had some initial concerns regarding stormwater management and the relatively small lot sizes proposed if the development were to be served with individual on site wastewater treatment systems. Staff had previously recommended that the petition be postponed pending the outcome of discussions with city of Madison regarding sanitary sewer service and stormwater management issues. It appears the concern about sanitary sewer service has been addressed in the draft agreement for extension of sanitary sewer service that is the process of being considered by the Madison Common Council. CARPC action on the Urban Service Area amendment is expected at the Committee meeting on August 8<sup>th</sup>.

The applicant provided the following update regarding the stormwater management concerns:

“A stormwater management plan has been prepared for the development area to meet applicable standards and will be reviewed by Town of Middleton, Dane County Land & Water Resources, City of Madison, Wisconsin DNR, and CARPC staff. A number of meetings have been organized to discuss stormwater concerns and mitigate negative impacts to downstream properties. In addition, a flood study has been prepared for the development area to analyze the 100-year and 500-year storm events. Major drainageways through the development area have been designed to convey the 100-year storm event safely and the infrastructure throughout the development has been designed to prevent flooding in the 100-year storm event. Furthermore, the residences adjacent to the major drainageways will require a minimum low opening above the 500-year storm event as required by the City of Madison.”

City of Madison had previously expressed concerns regarding the proposal’s consistency with the cooperative planning agreement between the town and city. Staff’s understanding is that those concerns have been resolved.

**STAFF RECOMMENDATION:** Staff recommends that the rezoning petition be approved with the following conditions:

The rezoning shall not become effective until:

1. The Wisconsin Department of Natural Resources approves the requested Urban Service Area Amendment for the property.
2. The town/city agreement for the extension of sanitary sewer service is approved.
3. A subdivision plat conforming to all applicable provisions of Chapter 236 of Wisconsin Statutes and Chapter 75, Dane County Code of Ordinances, will be prepared for approval and recorded with the Dane County Register of Deeds within 1 year of approval of the rezoning petition.
4. A developer’s agreement between the developer and town shall be approved and executed prior to recording of the final plat.

**TOWN:** The Town Board approved the revised petition with no conditions.