



# Staff Report

Zoning and Land Regulation Committee

Public Hearing: February 25, 2014

Petition: Rezone 10649

Zoning Amendment:  
**RE-1 Recreational District to A-1EX Exclusive District to R-1 Residence District and R-3A Residence District**

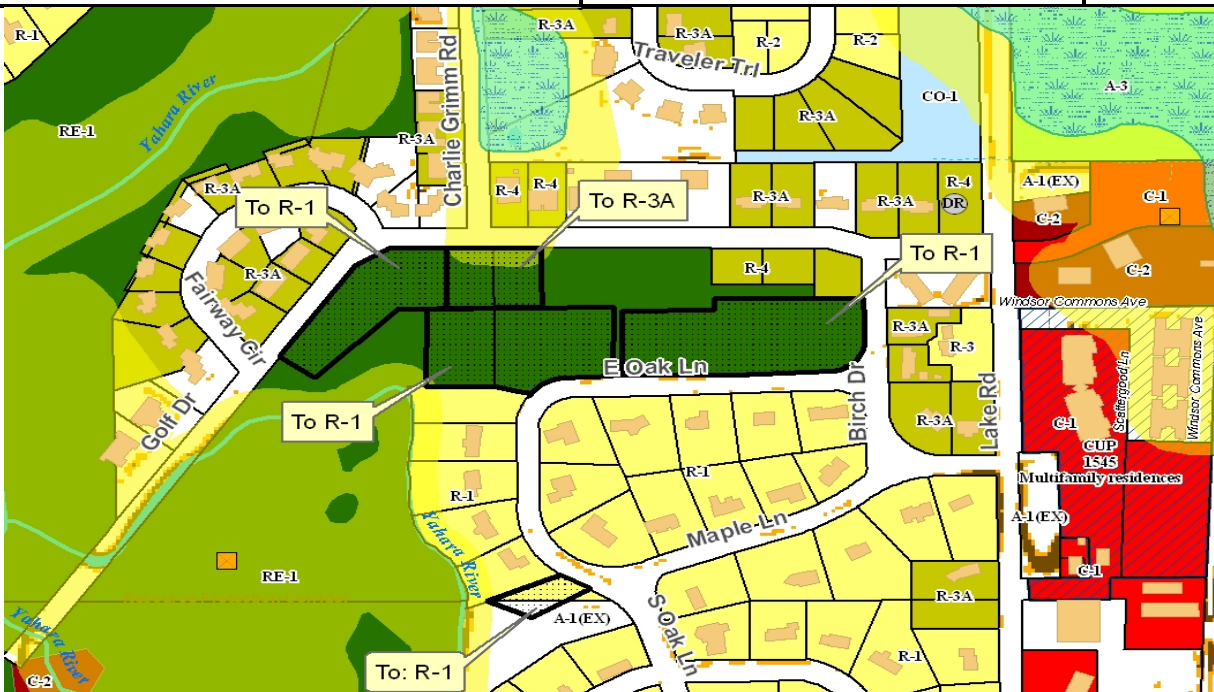
Town/sect:  
**Windsor  
Section 30**

Acres: 7.36 , 1.07, .25  
Survey Req. Yes

Applicant  
**Windsor Golf Ventures  
Inc**

Reason:  
**Creating thirteen residential lot  
subdivision plat**

Location:  
**4628 Golf Drive**



**DESCRIPTION:** Windsor Golf Ventures would like to revise the development plan for the Lake Windsor Golf Course. They would like shift the slated residential development located in the center of the golf course to the east side of the property. See attached Town Plan. The revision will reduce the amount of housing units from 50 to 16. The proposed plat will consist of 11 single-family residential lots, 2 duplex lots, and a 1.9-acre park. One additional residential lot is proposed approximately 600 feet to the south of the subdivision plat.

**OBSERVATIONS:** The proposed development area is currently used as a part of a golf course. The property is located within the Northern Urban Service Area. The majority of the area consists of Class II soils. Hydric soils are present along the west side of the development area on Lots 1 through 6, 13, and the lot to the south. This proposal is in close proximity to the Yahara River but the development will fall outside the 100-year floodplain.

**TOWN PLAN:** The current Town Plan identifies this area as an Environmental Preservation and Parks area. The plan states that these areas should be used for public open spaces. The developer is working with the Town of Windsor to amend the Comprehensive Plan to reflect the proposed development shift as noted above. This rezoning application has been submitted to gauge acceptance of the proposed revision.

**RESOURCE PROTECTION:** The Town Plan identifies sensitive water features and their buffers as areas of resource protection. The development is located outside the resource protection area.

**STAFF:** It appears that the proposal conflicts with the current Town Plan. The Committee may want to postpone action until an amendment is submitted to the Town Comprehensive Plan to reflect the changes. The low lying areas located on the west side of the development may contain hydric soils and may not be suitable for development. The Committee should request soil reports for this area to determine suitability. Lots 1 through 4, 12, and 13 will be subject to Shoreland Regulations.

**TOWN:** Pending.  
**2/25 ZLR Action:**

**Motion** by Kolar / Hendrick to postpone until Town action is received; motion carried, 5-0. YGP: 2-0.

Supervisor Hendrick expressed concerns regarding the proposed development being located in an area identified as hydric soils.

## **Rezone 10649 continued**

**Staff Update:** The petition was postpone due to the proposal not meeting the Town Comprehensive Plan, concerns with hydric soils being present on a portion of the development area, and no town action.

The Town of Windsor has revised their Comprehensive Plan to include the proposed project as presented. The Zoning and Land Regulation Committee approved Ordinance Amendment 2014 OA-91 (Windsor Comp Plan revision) at their June 24<sup>th</sup> meeting. The County Board adopted the amendment at their July 17<sup>th</sup> meeting.

To address the presence of hydric soils in the area, the developer conducted a wetland analysis of the area and also conducted soil borings. A wetland analysis was conducted by Stantec in May. It was determined that there were no wetlands in the proposed development area. Soil borings were performed and analyzed by Jeffrey Hammes, Certified Soil Tester. The borings revealed that the area was filled at some point in time. It was estimated that the fill was placed in the area in the 1950's.

The borings identified that the area has a seasonal saturation point (high ground water). The soil tester recommended that basement floors should be placed above the high groundwater elevation to avoid extensive waterproofing of basements. The established highest seasonal ground water elevation ranges from 869 feet to 872 feet.

The Town of Windsor has approved the rezoning of the areas at their February 20<sup>th</sup> meeting. This approval was conditioned upon the submittal of a certified survey map and subdivision map for the development. See attached resolutions.

### Staff Suggestion:

If approved, Staff suggests that a note be placed on the subdivision plat and survey noting that basement slabs be limited to a designated elevation to avoid flooding. In addition, a deed restriction (covenant) should be recorded on each lot to identify the limitation on basements due to the high groundwater level for the area.

Lots 1 through 6 shall have a basement slab set no lower than 871 feet NAVD 88.

Lots 7 through 13 shall have a basement slab set no lower than 873 feet NAVD 88.

Lot 1 of the proposed certified survey map located along Oak Lane shall have a basement slab set no lower than 872 feet NAVD 88.

Additional notes may be warranted on the survey or identified through deed restrictions for Lots 1 through 4, Lot 12, Lot 13, and the CSM lot on Oak Lane notifying future owners that these lots are subject to Dane County Code of Ordinances, Chapter 11, Shoreland Regulations.

**8/12 ZLR:** The petition was postponed due to staff review of basement elevations and concerns raised on the storm water effects on the Yahara River.

### **Staff Update:**

Staff reviewed the soil boring information regarding the high water table for the area. The report identifies an overall average high water mark at 870.5. The proposed basement minimum elevations of 871 and 872 would be above the high water mark for the area. Note: Lots 7 through 10 are at least 10 feet above the high water mark.

Staff contacted Montgomery Associates regarding the storm water design for the subdivision. The easterly lots will drain to infiltration areas located in the southeast corner of the park. The storm water will continue to the main detention basin where sediments will be removed and then flow to the Yahara River at a controlled rate. Lots 1-6, 12, and 13 will have additional infiltration areas (rain gardens) located on each individual lot. These lots are subject to Shoreland Regulations. The storm water management plan is currently being reviewed by Land Conservation.

### Staff Suggestion:

If approved, Staff suggests that the minimum basement slab be noted on the plat, as well as, a deed restriction on the property identifying the high water table in the area.

Lots 1 through 6 shall have a basement slab set no lower than 871 feet NAVD 88.

Lots 11 through 13 shall have a basement slab set no lower than 872 feet NAVD 88.

Lot 1 of the proposed certified survey map located along Oak Lane shall have a basement slab set no lower than 872 feet NAVD 88.