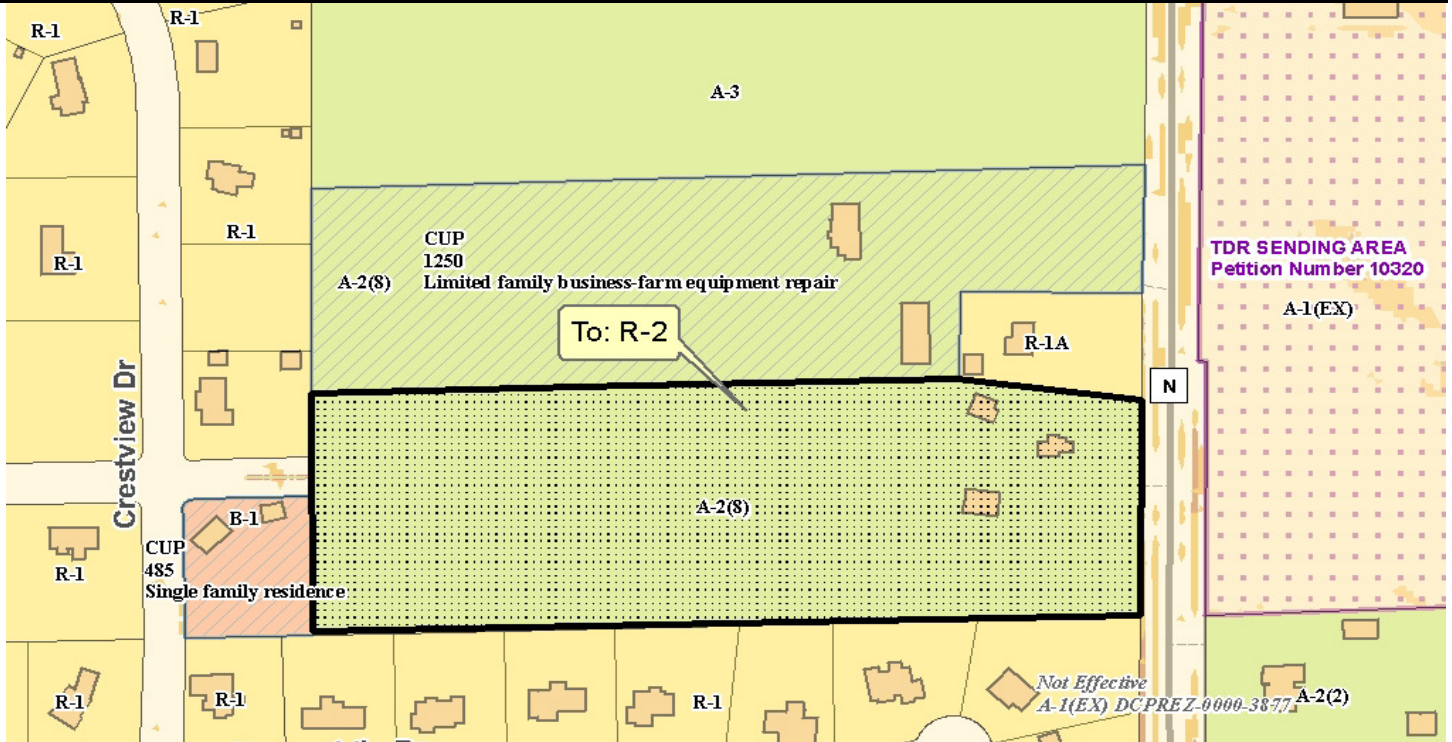




Staff Report

Zoning and Land Regulation Committee	<i>Public Hearing:</i> June 28, 2016	<i>Petition:</i> Rezone 10992
	<i>Zoning Amendment:</i> A-2(8) Agriculture District to R-2 Residence District	<i>Town/sect:</i> Cottage Grove Section 21
	<i>Acres:</i> 11.41 <i>Survey Req. Yes</i>	<i>Applicant:</i> North American Group of Companies Inc
	<i>Reason:</i> Create 16-lot residential subdivision	<i>Location:</i> 3695 County Highway N



DESCRIPTION: Applicant proposes to rezone an 11.4 acre A-2(8) parcel to the R-2 Residence district and the TDR-R overlay district in order to create a 15-lot subdivision. The majority of proposed lots are approximately ½ acre in size, with the smallest being 21,946 sq. ft. and the largest being 42,433 sq. ft (average is 26,145 sq.ft). The development would be an addition to the Skyhigh subdivision. Per the town’s Transfer of Development Rights (TDR) program, 2 density units will need to be transferred from sending area properties in the town’s agricultural preservation area.

OBSERVATIONS: The property is located just north and east of other residential subdivisions (2nd addition to Rolling Wheels and 3rd addition to Skyhigh). To the north are a single-family residence and a farm equipment repair business. The subject property is located within the Village of Cottage Grove Extra-territorial Plat Review Jurisdiction (ETJ). The property is NOT within the Village’s urban service area, therefore, these lots will be served with private well and septic.

TOWN PLAN: The subject property is located in the *Neighborhood Development Area*. The plan includes a Transfer of Development Rights (TDR) policy. In *the Neighborhood Development Area*, there is bonus ratio built into the TDR policy. As stated in the plan: “For each RDU transferred from a TDR Sending Area to a Neighborhood Development Area, the developer is able to develop eight housing units above the number of housing units allocated to the May 15, 1982 parcel, provided that the developer met all other applicable regulations and policies”.

Policy from Town Plan:
A transfer ratio incentive is built in so that landowners and RDU buyers have an incentive to transfer RDUs to a Receiving Area where compact development will be more appropriate. The incentive is that someone can buy one RDU from a Sending Area and develop more than one dwelling unit with that RDU in the Receiving Area. Based on technical review and public input, the Town of Cottage Grove has determined that an economically reasonable transfer ratio is eight. A transfer ratio of eight means that, for each RDU transferred from a Sending Area to Receiving Area, the Receiving Area developer would be able to develop eight housing units above the number of housing units allocated to the May 15, 1982 parcel, provided that the developer met all other applicable regulations and policies.

Policy continued...

To assure that the conveyance of RDUs is properly tracked on each Sending Area property, RDUs are in fact conveyed, and the sending area property is restricted, a "Grant of Limited Conservation Easement, Transfer of Development Rights" ("TDR Easement") shall be executed and recorded over the Sending Area property each time an RDU is sold or transferred under the TDR program. The TDR Easement must meet, at a minimum, all of the requirements of Section 10.01(75m) and 10.158(3)(b) of the Dane County Zoning Ordinance.

RESOURCE PROTECTION: No resource protection corridors located on the property.

STAFF: Barring issues / concerns raised by the town board or at the public hearing, the proposal appears reasonably consistent with town plan policies and the county TDR ordinance. Immediately adjoining residential lots average roughly $\frac{3}{4}$ of an acre, though there are 2 nearby residential developments (Rolling Wheels, and 5th Addition to SkyHigh) averaging $\frac{1}{2}$ acre lots. The town plan specifies a minimum lot size requirement of 20,000 sqft for new lots in this area. The applicant proposes to retire two density units from qualifying "sending area" properties in the town's agricultural preservation area to comply with the 8 to 1 TDR transfer ratio (1 from Dahl farm, 1 from Wood farm). The village of Cottage Grove has signaled its approval of the proposed subdivision in resolution 2016-03 (attached). See attached full staff report for recommended conditions regarding documentation of the proposed transfer of development rights.

TOWN: Approved with the Zoning District classification of R-1 Residence instead of R-2. The approval is contingent upon a subdivision plat being approved and recorded.

STAFF SUGGESTIONS: County Staff recommends approval with the following conditions:

1. The property shall be assigned the zoning district classification of R-1 Residence Zoning District.
2. The zoning is conditioned upon a maximum 15-lot/1-outlot subdivision plat being approved and recorded.
3. A transfer of development right document shall be recorded on the Dahl Farm, Section 26, and the Wood Farm, Section 35, identifying that 2 housing density rights have been used for the creation of the residential subdivision.