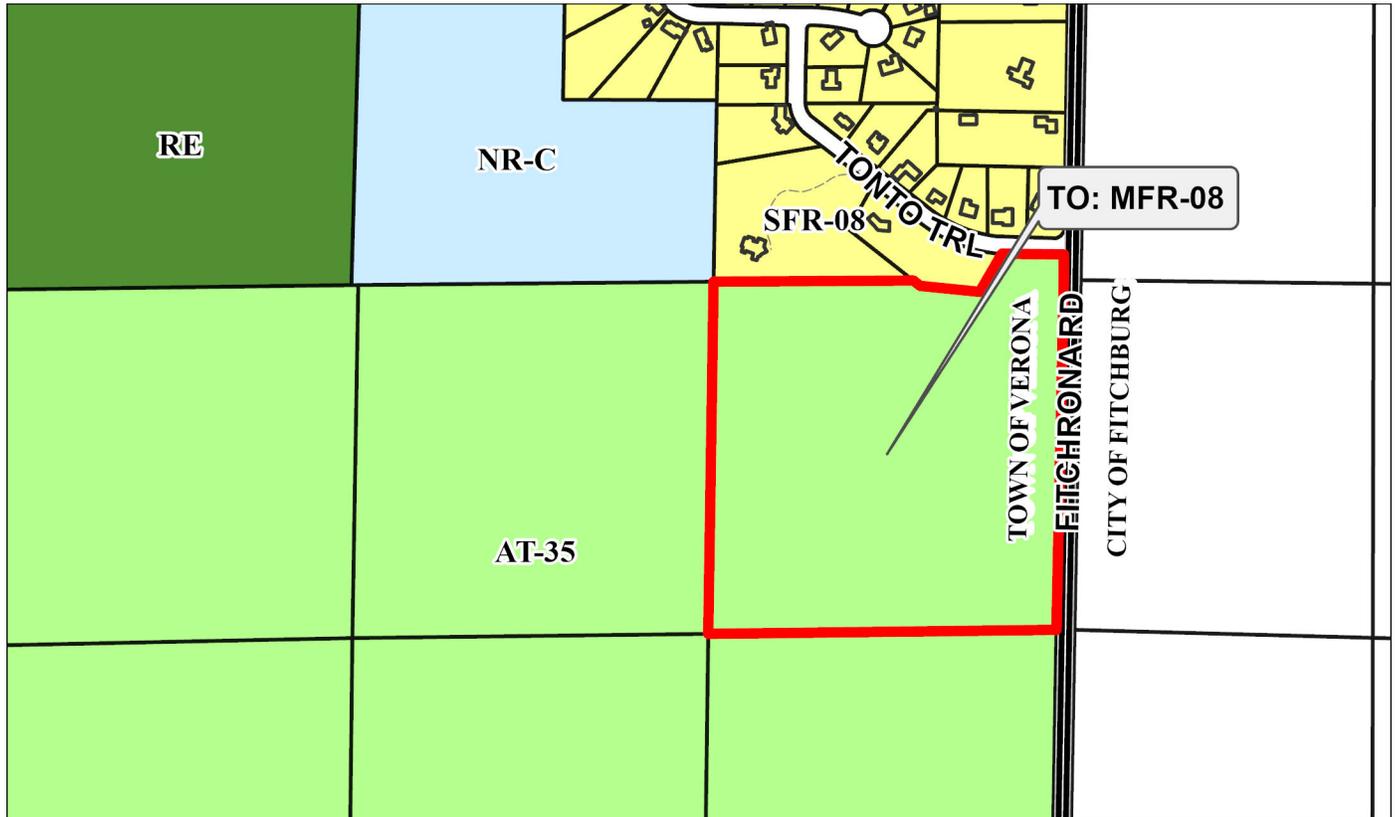


Staff Report  Zoning & Land Regulation Committee	<u>Public Hearing:</u> July 23, 2024		Petition 12065
	<u>Zoning Amendment Requested:</u> AT-35 Agriculture Transition District TO MFR-08 Multi-Family Residential District		<u>Town, Section:</u> VERONA, Section 13
	<u>Size:</u> 39 Acres	<u>Survey Required:</u> No	<u>Applicant:</u> FROSTWOOD FARM VI LLC
	<u>Reason for the request:</u> Change zoning to allow for a 16-lot single family residential condominium plat		<u>Address:</u> SOUTH OF 2565 TONTO TRAIL



DESCRIPTION: Applicant is proposing to rezone a 39-acre portion of property from AT-35 to MFR-08 to allow for a 16-lot single-family residential condominium plat. Condominium units (building sites) would be 1-2 acres in size. The houses will be served by private roads. Approximately 31% of the land will be devoted to conservancy and detention purposes.

OBSERVATIONS: The proposal is located just south of an existing residential subdivision that was developed in the 1980's to 1990's. The existing subdivision is served with public sewer by the Madison Central Service Area, however, the proposed condominium plat falls outside the service boundaries. The proposal will need to be served by individual septic systems.

The property drains to the northeast corner of the property. GIS information shows the potential of wetlands and an intermittent stream in this location. Heartland Ecological Group evaluated the area and found no wetlands. The Zoning Division also conducted a site inspection on the property and found no evidence of a navigable stream.

The primary access point for the development is along Fitchrona Road. The City of Fitchburg is planning on making road improvements to Fitchrona Road in the near future. The developer will need to coordinate efforts to ensure the access point matches with the Fitchburg improvements. Ross Kahler of the City of Fitchburg should be contacted.

COMPREHENSIVE PLAN: The property falls within a Rural Residential 2-4 Acres area under the *Town of Verona Comprehensive Plan*, which allows for a residential development up to a gross density of one unit per two acres. The [Town of Verona Land Division And Development Ordinance](#) allows condominium plats that include at least 30% of the total development area as open space and meet 100% stormwater infiltration targets, to create residential units as small as 1.3 acres. Based on the materials submitted with this application the proposed development appears consistent with the adopted town/plan policies.

CITY OF VERONA: The property is located a little over 1 mile from the City of Verona's eastern boundary. In December of 2023, the City and the Town entered into an agreement that the City would not object to development of this area.

CITY OF FITCHBURG: The City of Fitchburg boundary is along the centerline of Fitchrona Road. Although the property is within the ETJ limits of Fitchburg, the City does not have any authority over the creation of Condominium Plats. County Staff has reached out to Fitchburg regarding any concerns. Fitchburg suggested that a public trail system may be beneficial to connect Fitchrona Road the Dane County Parkland that is west of the property.

RESOURCE PROTECTION: The preliminary GIS information showed the potential of a navigable stream and wetlands in the north east corner of the property. Field analysis was conducted by Heartland Ecological Group and Zoning Staff. It was determined that the property did not contain any wetland or a navigable stream. See attached wetland report and navigability determination.

TOWN ACTION: The Town Board recommended approval of the petition subject to the following conditions:

1. The property be deed restricted to limit the land use to single-family residences only.
2. The condominium plat shall be reviewed by the Town prior to recording.
3. The Town shall approve a development agreement along with the declaration of covenants for the development.

STAFF RECOMMENDATION: Pending comments at the public hearing, Staff recommends approval with the following conditions:

1. A developer's agreement shall be approved by the Town Board for the development of the property prior to the zoning becoming effective.
2. The Condominium Plat along with the Declaration of Covenants shall be approved by the Town Board prior to recording and the zoning becoming effective.
3. A deed restriction shall be recorded on the property limiting the land use to 16 single-family residences.

Please contact Roger Lane at (608) 266-9078 or lane.roger@danecounty.gov if you have questions about this petition or staff report.