

# TOWN BOARD ACTION REPORT – REZONE

Regarding Petition # 11416

Dane County Zoning & Land Regulation Committee Public Hearing Date 5/28/2019

**Whereas**, the Town Board of the Town of Verona having considered said zoning petition,

be it therefore resolved that said petition is hereby (check one): ☒ **Approved** ☐ **Denied** ☐ **Postponed**

**Town Planning Commission Vote:** 5 in favor 0 opposed 0 abstained

**Town Board Vote:** 5 in favor 0 opposed 0 abstained

## THE PETITION IS SUBJECT TO THE FOLLOWING CONDITION(S) (Check all appropriate boxes):

1. ☐ *Deed restriction* limiting use(s) in the \_\_\_\_\_ zoning district to **only** the following:
  
2. ☐ *Deed restrict* the balance of A-1 EX Agricultural Exclusive zoned land owned by the applicant from the original farm (as of date specified in the Town Plan) prohibiting non-farm development. Please provide property description, or tax parcel number(s):
  
3. ☐ *Deed restrict* the applicant's property described below prohibiting division. Please provide property description, or tax parcel number(s):
  
4. ☐ *Condition* that the applicant must record a *Notice Document* which states all residential development units (a.k.a. splits) have been exhausted on the property, and further residential development is prohibited under Town & County Land Use Planning policies. Please provide property description, or tax parcel number(s):
  
5. ☒ *Other Condition(s). Please specify:*

Approve the rezoning of parcels (74.54 acres) from A1 EX (Ag Exclusive) parcel numbers 0608-302-8507-2, 608-193-900-2 and 608-193-8500-9, to 24 lots with R1-A zoning, 3 lots to RH1 zoning, and four lots to CO-1. Approval of up to 31 lots (27 residential lots, all equal to or greater than 1.5 acres, and four conservation outlots (the stormwater detention basins shall be on the outlots); the road layout shall be as shown on the Concept Plan dated April 3, 2019. If, during the engineering of the road and the stormwater management for the preliminary plat, there are significant changes in layout of the lots or number of lots to the April 3, 2019 concept plan, then the new layout of the Concept Plan will need to be reviewed and acted upon by the Plan Commission. Before review of the preliminary plat by the Plan Commission, the following requirements shall be met:  
a. Completion of the wetland delineation  
b. Completion of the draft of the stormwater management plan  
c. Engineering of the road; the cul-de-sac should have an engineered circle with an appropriate radius and lots shall not include easements for the cul-de-sac.  
d. A declaration of neighborhood covenants, which will include the architectural design features for homes and accessory buildings, landscaping requirements for residential lots; berm and landscaping plans for the berm along Spring Rose Road  
e. A financial agreement for maintenance of the outlots, which include: stormwater management ponds and easements, the wetland areas on outlots, and park area  
f. A draft of a Developer's Agreement submitted

Please note: The following space is reserved for comment by the minority voter(s), **OR**, for the Town to explain its approval if the decision does not comply with the relevant provisions of the Town Plan.

I, John Wright, as Town Clerk of the Town of Verona, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on 5/7/2019

Town Clerk John Wright Date: 5/16/2019

## **Town Conditions**

Approve the rezoning of parcels (74.54 acres) from A1 EX (Ag Exclusive), parcel numbers 0608-302-8507-2, 608-193-900-2 and 608-193-8500-9, to 24 lots with R1-A zoning, 3 lots to RH1 zoning, and four lots to CO-1

Approval of up to 31 lots (27 residential lots, all equal to or greater than 1.5 acres, and four conservation outlots (the stormwater detention basins shall be on the outlots); the road layout shall be as shown on the Concept Plan dated April 3, 2019.

If, during the engineering of the road and the stormwater management for the preliminary plat, there are significant changes in layout of the lots or number of lots to the April 3, 2019 concept plan, then the new layout of the Concept Plan will need to be reviewed and acted upon by the Plan Commission.

Before review of the preliminary plat by the Plan Commission, the following requirements shall be met:

- a. Completion of the wetland delineation
- b. Completion of the draft of the stormwater management plan
- c. Engineering of the road; the cul-de-sac should have an engineered circle with an appropriate radius and lots shall not include easements for the cul-de-sac
- d. A declaration of neighborhood covenants, which will include the architectural design features for homes and accessory buildings, landscaping requirements for residential lots; berm and landscaping plans for the berm along Spring Rose Road
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June 6, 2019

Dane County ZLR Committee  
City – County Building  
210 Martin Luther King Jr. Blvd.  
Madison, WI 53703

Dear ZLR Members,

It's our understanding that action was postponed for two land use applications in the Town of Verona at your last meeting. We thought it would be helpful if I provided a little more information on the Town's support for these two proposals, a Certified Survey Map for land at the corner of Spring Rose Road and Riverside Drive (Petition 11415) and a rezoning and concept plan at Highway G and Spring Rose Road (Petition 11416).

Both are in the southwest portion of the Town of Verona. As you may know, most of the Town of Verona is under the Extra-Territorial Jurisdiction of the City of Verona, City of Madison, or City of Fitchburg. The southwest portion of the Town is the only place that the Town has land use control without the threat of a City denial of land divisions. As we embarked on our comprehensive plan, we saw this as a potential development area.

However, much of it was previously designated for farmland preservation. We reached out to every farmer who had previously been in an area designated for farmland preservation. We found that many did not take the tax credits or want to remain in farmland preservation. This is reflected in our recently adopted future land use plan, which had multiple opportunities for public review and comment. These two petitions are consistent with the Town's Comprehensive Plan and were anticipated at the time the Comprehensive Plan was approved.

While we understand that with every development comes some loss of the natural environment, we believe the impacts of these two projects is somewhat mitigated. Extra conditions have been placed on the CSM on Riverside Road to avoid impacts to the largest trees and further splits have been limited. The plat on Spring Rose Road proposes 27-home lots, but it also proposes the preservation of open space and the establishment of a prairie in an area that is prone to flooding. It is anticipated that this 16-acre prairie, which is currently in corn, would reduce water flow into the Sugar River.

Both of these proposals had public hearings at the Plan Commission and the Town Board and no citizens' spoke for or against these proposals at these meetings. Also, there were no objections to the proposed housing densities at the many meetings we had with the public, when the comprehensive plan was being developed.

We respect the position of those who raised concerns about these two proposals, but the Town believes that these fit with Town's comprehensive plan and long term goals, and thus should be supported.

Sincerely,

Amanda Arnold  
Planner/Administrator  
Town of Verona

Cc: Town of Verona Plan Commission

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