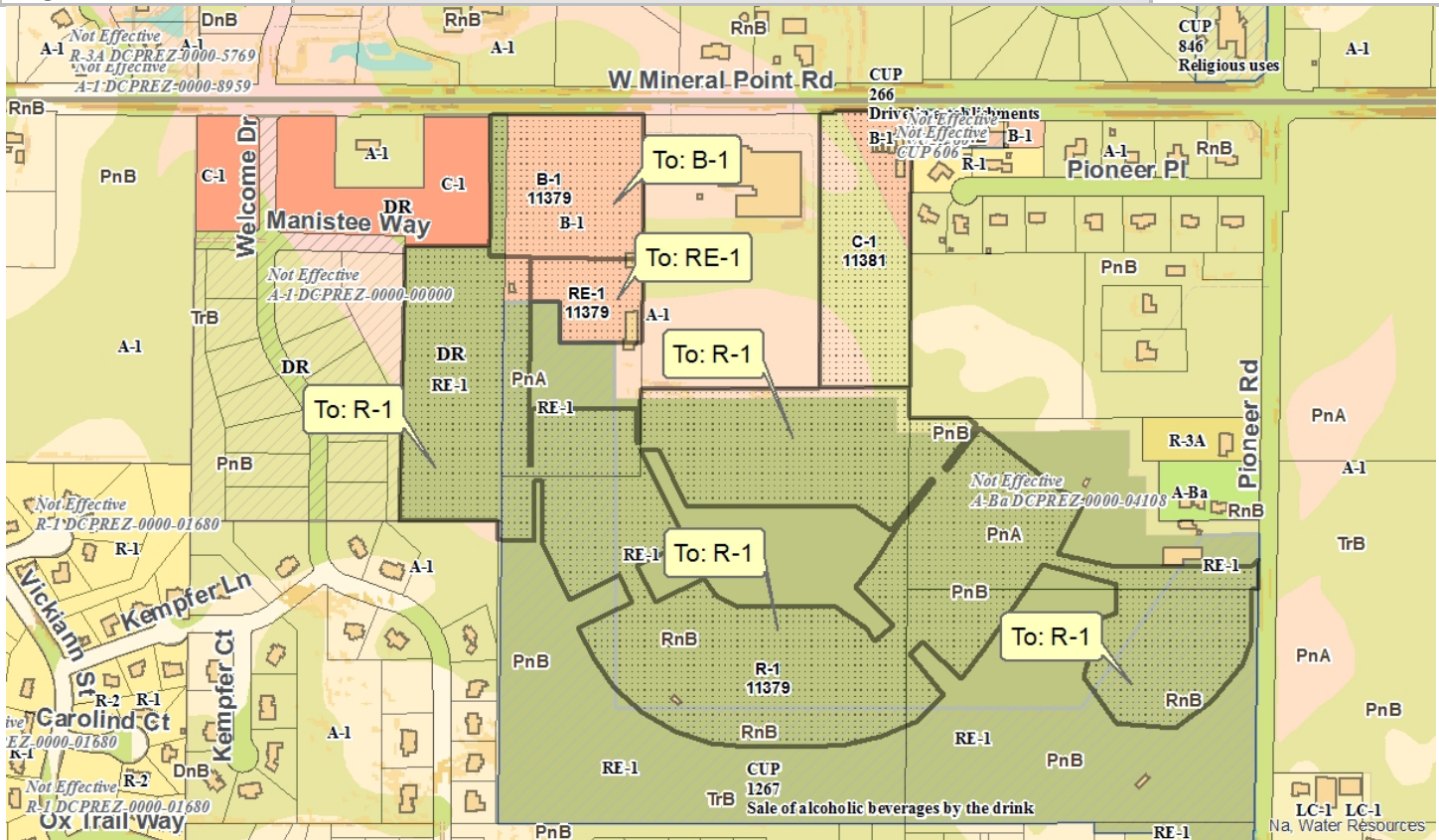


<b>Staff Report</b>    <b>Zoning and Land Regulation Committee</b>  <b>Questions? Contact:</b> <b>Roger Lane – 266-9078</b>	<b>Public Hearing:</b> <del>January 22, 2019</del> February 12, 2019		<b>Petition 11379</b>
	<b>Zoning Amendment Requested:</b> RE Recreational District to SFR-08 Single Family Residential District; GC General Commercial District and RE Recreational District to GC General Commercial District; and GC General Commercial District to RE Recreational District		<b>Town/Section:</b> Middleton, Section 30
	<b>Size:</b> 58.85, 6.46, & 2.79 Acres	<b>Subdivision Plat Required?</b> Yes	<b>Applicant:</b> Watts Family Trust
	<b>Reason for the request:</b> 82 <del>lot</del> 91 lot residential subdivision plat and golf course redesign		<b>Address:</b> 7701 West Mineral Point Road



**DESCRIPTION:** The original application proposed to create an 82-lot residential subdivision and to redesign the existing Tumbledown Trails golf course on the ~129 acre property. Applicant has since revised the proposal to create a total of 91 residential lots. Proposed lot sizes average approximately ½-acre. The golf course would be shrunk from its existing 18-hole standard format into a 13-hole par-3 “executive” course. An area of GC General Commercial zoning would be reconfigured and serve as the location for the future golf clubhouse, which will also include a public restaurant and tavern and exercise facility available to residents of the development. The development would be called “Pioneer Pointe”.

**OBSERVATIONS:** The property is relatively low lying and includes a number of man-made ponds that help with stormwater management on the golf course. Stormwater concerns are being addressed in concert with county and city of Madison staff. The applicant has negotiated with the town of Middleton and city of Madison to extend public sewer service to the development. Staff’s understanding is that the agreement will be considered by the Madison Common Council at an upcoming meeting, most likely on 8/6/19. An Urban Service Area Amendment (USAA) is currently being considered by the Capital Area Regional Planning Commission.

**TOWN PLAN:** The town plan designates the property as future residential and commercial recreation.

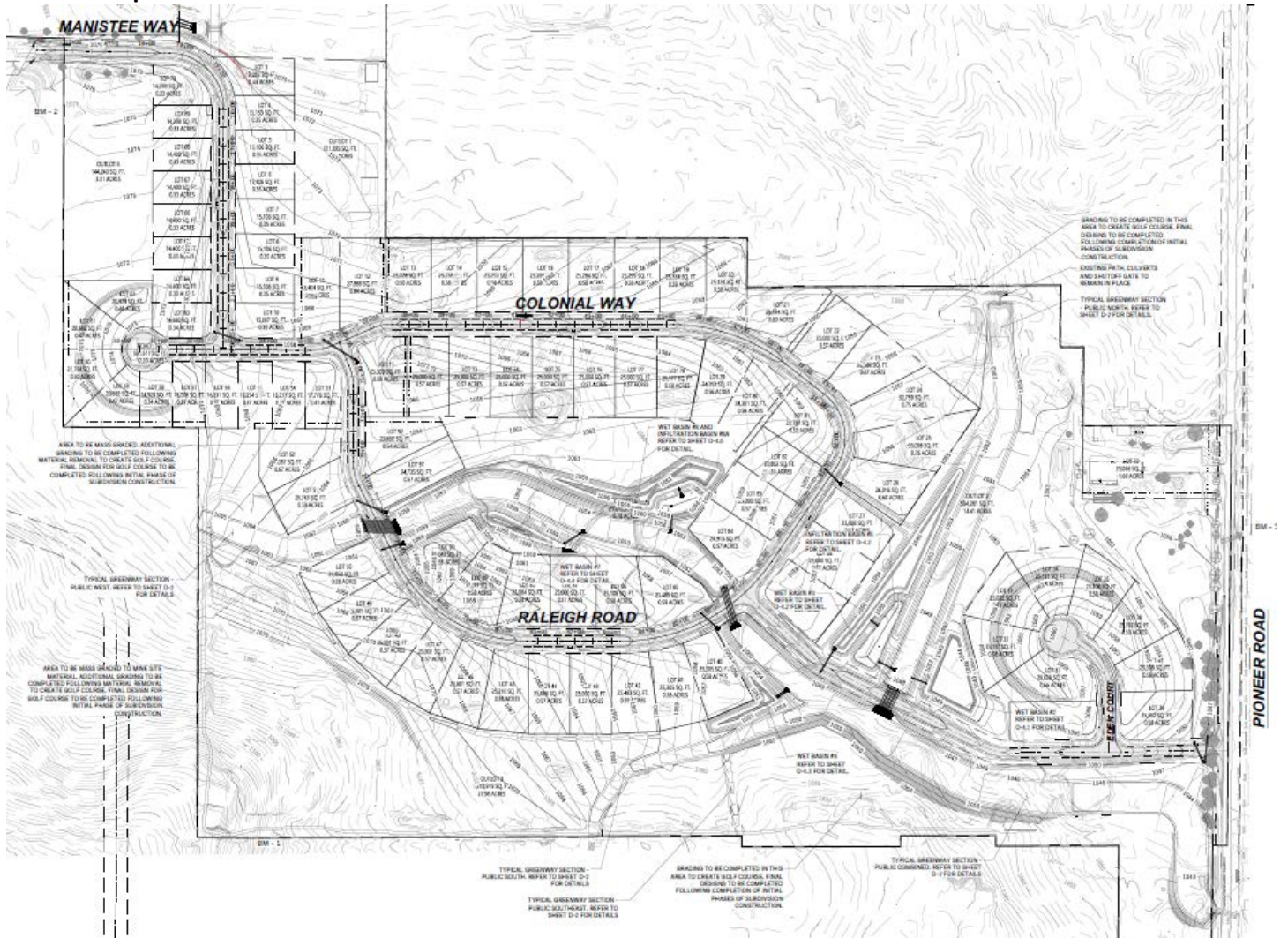
**DANE COUNTY HIGHWAY:** County Highway S (Mineral Point Road) is a controlled access highway. No new access points with the permitted. Access points for the subdivision will be from Pioneer Road (east) and Welcome Drive (north). Both roadway intersections will be improved next year to accommodate additional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