

MIDDLETON-WESTPORT JOINT ZONING COMMITTEE
Wednesday, March 29, 2023 6:00 p.m.

MEETING MINUTES

*Meeting materials are available on the City's website at <http://meetings.cityofmiddleton.us/>
There is no video recording of this meeting.*

Call to Order & Roll Call

In the absence of a chair or vice-chair, Town Supervisor Joe Pichette called the meeting to order at 6:00 p.m. The meeting was conducted at the Westport Town Hall.

MEMBERS PRESENT: Randy Bruce, Chris Harp, Mary Manering, Joe Pichette, Dennis Tande (alternate for Cynthia Kennedy)

MEMBERS ABSENT: John Schaffer

STAFF PRESENT: Dean Grosskopf, Mark Opitz

Committee members introduced themselves. Mary Manering has replaced Ken Sipsma, and Dennis Tande has been designated an alternate member representing the Town of Westport.

Election of Officers

Motion by Manering/Harp to appoint Joe Pichette to serve as chair. **Motion passed**, with Pichette abstaining.

Motion by Harp/Manering to elect Randy Bruce as vice-chair. **Motion passed.**

Minutes of November 30, 2022, MWJZC Meeting

Motion by Bruce, seconded by Pichette, to approve the draft minutes as prepared. **Motion passed** 5-0.

Public Hearing

Extraterritorial Rezoning from County A-1 Agriculture (Exclusive) to R-1 (Single-Family Residential) - Ziegler Dairy Farms, LLC, 5429 CTH Q, Town of Westport (PC-2650)

Grosskopf provided an overview of the application and the Westport Plan Commission's recommendation with contingencies.

Greg Ziegler, applicant, spoke about how their plans evolved since their initial proposal to create five lots, and he noted that they are in the process of removing old buildings.

Chair Pichette opened the hearing at 6:09. There being no one present who wished to speak and no statements received prior to the meeting, he closed the hearing.

Agenda Items**Item #1: Consideration of Application to Rezone from County A-1 Agriculture (Exclusive) to R-1 (Single-Family Residential), and Certified Survey Map - Ziegler Dairy Farms, LLC, 5429 CTH Q, Town of Westport (PC-2650)**

Bruce said he considers this plan to be more appropriate than the one they reviewed in November. Tande spoke about the Town's typical criteria for allowing one split, but ultimately town officials decided it was appropriate in this case to accommodate a second lot. He also noted that one of the Westport Plan Commission's contingencies of approval was to preserve the stanchion barn, but since then Ziegler has expressed the intent to remove it.

Motion by Manering/Bruce to recommend that the Council approve the rezoning and the Town Board approve the CSM with the following contingencies:

- A restriction on any further land division of the created lots or the remaining farm acreage.
- Dane County approval of driveway access, and Waunakee Fire and EMS approval of access to each site.
- The removal of unsafe farm buildings, with the Westport Plan Commission and the Historic Preservation Commission to determine the potential removal of the historic barn.
- Removal of the manure pit in accordance with DNR requirements.
- Town staff approval of the stormwater management plan.

Motion passed.

Item #2: Signage Plan - Solas Natural Burial Preserve, Oncken Road (PC 2620)

Staff noted that Middleton's Plan Commission has approved the Specific Implementation Plan for this site contingent on the committee's approval of the signage plan. Responding to questions regarding monument sign placement, size, and illumination, Jake Bunz (representing the developer) stated that the sign face will be placed parallel to Oncken Road and be internally illuminated. Committee members were comfortable with the size based on the assumption that the individual next to the sign was to indicate scale.

Motion by Bruce/Manering to approve a sign installed parallel to Oncken Road with a sign area up to 32 sq.ft. with the sign installed in conformance with the City's sign ordinance. **Motion passed.**

Item #3: Concept Review--General Implementation Plan Amendment, Phase 7 & 8, Community of Bishops Bay

Opitz reviewed the supporting materials in the meeting packet:

- The Community of Bishops Bay, LLC's 3/7/23 submittal, which indicates revisions the developer has made to the concept since their April 2022 meeting with the committee
- Excerpt (pages 2-4 and 2-5) from the 2015 Final Utility Master Plan indicating estimated type and number of residential units within each neighborhood
- Minutes from 4/27/22 MWJZC meeting at which Phases 7 & 8 were initially discussed

(The developer is now seeking to shift the shared municipal boundary westward, to reduce by 57 the number of single family residences in Westport, and to establish a large cluster of multifamily dwelling units in Westport.)

Jake Bunz, development manager, spoke about the components of the proposed GIP amendment and the related boundary change. He stated the following:

- Although Phase 5 infrastructure was completed in 2018, 26 of the 86 lots have not yet been sold, whereas the larger lots in Phase 6 have sold more quickly (only 5 of 43 lots remain for sale). There is greater market demand for luxury lots and less density.

- They wish to replace the one-quarter-to-one-third acre hamlet lots with lots that are one-half-to-three-quarter acre in size, with larger lots (around 2.5 acres) adjoining the golf course. This would reduce by 57 the number of lots in Westport, from 394 down to 337 lots.
- They propose to shift about 100 acres from the City into the Town, resulting in a westward shift of the shared boundary. The multifamily site shown in the master development plan (MDP) near the center of the development would then be located in Westport.
- They envision approximately 825 units in seven 4-story buildings with underground parking on 25 acres, with the intent being to create a gated community with its own amenities—clubhouse, pool, trail network, community garden, etc. They anticipate phasing the project over 10-12 years and for the design to mimic a farm neighborhood, similar in concept to a development they are working on in Windsor.

Bunz said that the MDP didn't identify a specific number of units in each neighborhood; rather, it listed dwelling units per acre. Opitz noted that the 2015 utility study estimated 390 multifamily units in the Reserve Hill neighborhood. He said it's necessary to have a better understanding of how a significant increase in density in this location affects the density in other parts of the development, which was anticipated to have a total of 2,950 dwelling units, of which 960 would be apartments. Bunz said that the MDP didn't specify particular numbers for each neighborhood—the Master Utility Plan was just a snapshot in time addressing where units would be built and can they be served by utilities. He said that the multifamily site can accommodate up to 1,000 units from a sewer capacity standpoint, and 750 units without having to install a water reservoir or secondary loop. Bruce said it's hard to decouple the MDP from the master utility plan, and he would like the utility plan to be updated to have a better understanding of the implications on other phases.

Responding to a question about why the boundary line would be shifted so that the multifamily is in Westport, Bunz stated that there are improvements that they can make to Westport's sewer and water system to enable this density whereas cost restrictions would make it difficult to develop this site in Middleton. Opitz said it is his understanding that the developer agreed to that arrangement when the entire development was approved. Bruce noted that the boundary adjustment would have implications for both utility services and tax basis. Pichette said that the Town may not have the staff resources to support the increased density, and any decision would need to make sure it serves the interests of both communities. He wondered whether the site might be better suited for single family homes given its proximity to the golf course and woods and given the current lack of connectivity of Bishops Bay Parkway. He said the multifamily site might be more appropriate along Oncken, which can better handle increased traffic. Manering said that having a gated community there feels really off to her in the midst of single family homes. Pichette advised working with the country club and golf course landowner to make sure this is a good fit, and with the Middleton Fire Dept. to make sure they don't have an issue with site access. He added that he likes the reduced density in Phase 7 and wants assurance that there remains a commitment to prairie maintenance and minimization of invasive species. Tande said he would like to see more parkland incorporated into the development, and he suggested extending Sam Jacobsen Park into this area. Grosskopf observed that 825 apartments represent nearly one-third of the original development plan. He and Pichette stressed the importance for Middleton to be supportive of the changes that the developer is proposing.

Bruce asked Bunz to work with Vierbicher to update the utility master plan and to provide further information to Town and City staff. Opitz said there may be a need to update the master development plan because it serves as the zoning regulations for the entire development. Pichette said he would like a better understanding of how four-story buildings would impact viewsheds / sightlines.

Adjournment

Moved by Bruce/Manering, to adjourn. **Motion passed** 5-0, and the meeting adjourned at 7:04 p.m.

Minutes prepared by City Planner & Zoning Administrator Mark Opitz based on his notes of the meeting. These minutes should not be considered finalized until they are formally approved at a subsequent meeting of the Committee.