

**PLANNING UNIT REPORT**  
**DEPARTMENT OF PLANNING AND DEVELOPMENT**  
**July 18, 2005**

**RE: [Proposed Substitute] I.D. #01324, Zoning Map Amendment I.D. 3110, to rezone 4949 Meinders Road (also 4204 Tormey Lane) from Temp. A and Wetland to Conservancy and Wetland**

1. Requested Action: Approval of a request to rezone 9.12 acres located at 4949 Meinders Road and 4204 Tormey Lane from Temporary A (Agriculture District) and W (Wetland District) to W (Wetland District) and C (Conservancy).
2. Applicable Regulations: Section 28.12 (9) provides the process for zoning map amendments.
3. Report Drafted By: Timothy M. Parks, Planner

**GENERAL INFORMATION**

1. Applicant & Property owner: The Nelson Group; 2134 Atwood Avenue; Madison, Wisconsin 53704; Doug Nelson, representative.
2. Development Schedule: Development of the subdivision will commence in summer 2005.
3. Parcel Location: Approximately 9.12 acres located approximately 1,000 feet south of Voges Road on the west side of Owl Creek Drive and Tormey Lane, Aldermanic District 16; Madison Metropolitan School District.
4. Existing Conditions: Undeveloped land located in the City of Madison in Temp. A and W (Wetland District) zoning.
5. Proposed Land Use: Two outlots containing neighborhood park and stormwater detention tracts to be dedicated to the City with the final plat of the Owl's Creek Subdivision.
6. Surrounding Land Use and Zoning:  
North: Undeveloped lands, zoned W (Wetlands District) and M1 (Limited Manufacturing District);  
South: Future one, two and multi-family units to be developed in the Owl's Creek subdivision in R2S (Single-Family Residence District), R3 (Single and Two-Family Residence District) and R4 (General Residence District) zoning;  
West: Industrial lands (auto salvage, refinery, warehousing) in the Village of McFarland;  
East: Owl Creek four-unit townhomes, zoned R4; undeveloped lands, zoned W.
7. Adopted Land Use Plan: The Marsh Road Neighborhood Development Plan recommends this portion of the Owl's Creek subdivision for "parks and drainageway" uses.

8. Environmental Corridor Status: An environmental corridor corresponding to previously delineated wetlands has been identified in the northwestern corner of the subject site.
9. Public Utilities & Services: The property will be served by a full range of urban services.

### **STANDARDS FOR REVIEW**

This application is subject to the standards for zoning map amendments.

### **PREVIOUS CASES**

On May 17, 2005, the Common Council approved the applicant's request to rezone 38.9 acres of the subject property located at 4949 Meinders Road from Temp. A (Agriculture District) to R2S (Single-Family Residence District), R3 (Single and Two-Family Residence District) and R4 (General Residence District) and approval of a preliminary plat proposing 73 single-family lots, 16 two-family lots, four lots for four-unit townhomes, and outlots for public parkland and stormwater detention.

The Common Council approved a final plat of the same on July 5, 2005, subject to a condition of approval that the future parkland and stormwater management tracts along the northern property line be rezoned to Conservancy.

### **ANALYSIS, EVALUATION AND CONCLUSION**

The applicants are requesting approval of a request to rezone approximately 9.1 acres of undeveloped land from Temporary Agriculture and Wetland to Conservancy and Wetland to satisfy a condition of approval of Owl's Creek residential subdivision. The lands are characterized by delineated wetlands along the northernmost tier of the property and heavily wooded land located south of the wetlands along the western property line. The heavily wooded areas occupy most of a 2.8-acre tract of land that will be dedicated to the City for public parkland with the development. The wetland will be joined with a stormwater management facility proposed to serve the northeastern corner of the subdivision in a 6.3-acre outlot extending along the northern property line of the subdivision.

The area of the Conservancy zoning is less than the ten acres of lot area ordinarily required for this zoning district. However, the Zoning Ordinance provides that Conservancy districts may be smaller than ten acres if created as part of a subdivision approval. In addition, a portion of the site is already zoned W (Wetlands), based on an earlier delineation of wetlands in this area. This rezoning request also includes a minor expansion of the Wetland zoning district to the western and northern boundaries of the 9.1 acres, which reflects the most recent wetland delineation depicted on the Owl's Creek final plat.

### **RECOMMENDATION**

The Planning Unit recommends that the Plan Commission forward Zoning Map Amendment I.D. 3110, rezoning 9.1 acres of undeveloped land located at 4204 Tormey Lane and 4949 Meinders

ID #01324

4949 Meinders Road & 4204 Tormey Lane

July 18, 2005

Page 3

Road from Temp. Agriculture and Wetland to Conservancy and Wetland, to the Common Council with a recommendation of **approval as a substitute** with a revised legal description for the 9.1 acres that expands the land previously zoned W (Wetland District) to reflect the most recent wetland delineation shown on the final plat. Approval should be recommended subject to input at the public hearing and comments from reviewing agencies.

**CITY OF MADISON  
INTERDEPARTMENTAL  
CORRESPONDENCE**

**Date:** June 29, 2005

**To:** Bill Roberts, Planner III  
**From:** Kathy Voeck, Assistant Zoning Administrator  
**Subject:** 4949 Meinders Rd

**Present Zoning District:** Temporary Ag

**Proposed Use:** Outlots 1 and 2, Parkland and stormwater management area

**Requested Zoning District:** Conservancy

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). **NONE.**

GENERAL OR STANDARD REVIEW COMMENTS

1. (Note: This is a condition of plat approval.)

**ZONING CRITERIA**

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft. (n/a public service use.	adequate
Lot width	50'. (n/a public service use)	adequate

Other Critical Zoning Items	
Urban Design	No
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	None shown
Water front development	No
Adjacent to park	No
Barrier free (ILHR 69)	No

With the above conditions, the proposed project **does** comply with all of the above requirements.



Department of Public Works  
**City Engineering Division**

608 266 4751

Larry D. Nelson, P.E.  
City Engineer

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**Deputy City Engineer**  
Robert F. Phillips, P.E.

**Principal Engineers**  
Michael R. Dalley, P.E.  
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Gregory T. Fries, P.E.

**Operations Supervisor**  
Kathleen M. Cryan

**Hydrogeologist**  
Joseph L. DeMorett, P.G.

**GIS Manager**  
David A. Davis, R.L.S.

DATE: June 29, 2005  
TO: Plan Commission  
FROM: Larry D. Nelson, P.E., City Engineer   
SUBJECT: 4949 Meinders Road (Owls Creek) Rezoning

The City Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. N/A

**GENERAL OR STANDARD REVIEW COMMENTS**

In addition, we offer the following General or Standard Review Comments: NONE

