



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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**TO:** Mayor Satya Rhodes-Conway, Madison Common Council  
**FROM:** Heather Stouder, Director, Planning Division  
**DATE:** February 17, 2022  
**SUBJECT:** Protest Petition against Zoning Map Amendment File ID [69274](#), SUBSTITUTE- Creating Section 28.022 - 00534 of the Madison General Ordinances to change the zoning of property located at 4000-4150 Packers Avenue and 4201 North Sherman Avenue, 18<sup>th</sup> Aldermanic District, from Temp. A (Temporary Agricultural) District to TR-C3 (Traditional-Residential-Consistent 3) District; and creating Section 28.002 - 00535 of the Madison General Ordinances to change the zoning of the property located at 4000-4150 Packers Avenue and 4201 North Sherman Avenue, 18<sup>th</sup> Aldermanic District, from Temp. A (Temporary Agricultural) to TR-V2 (Traditional Residential-Varied 2) District; and creating Section 28.022-536 of the Madison General Ordinances to change the zoning of the property located at 4000-4150 Packers Avenue and 4201 North Sherman Avenue, 18<sup>th</sup> Aldermanic District from Temp. A (Temporary Agricultural) to TR-U1 (Traditional Residential-Urban 1) District; and creating Section 28.022 - 00537 of the Madison General Ordinances to change the zoning of property located at 4000-4150 Packers Avenue and 4201 North Sherman Avenue, 18<sup>th</sup> Aldermanic District from Temp. A (Temporary Agricultural) District to CC-T (Commercial Corridor-Transitional) District; and creating Section 28.022-538 of the Madison General Ordinances to change the zoning of property located at 4000-4150 Packers Avenue and 4201 North Sherman Avenue, 18<sup>th</sup> Aldermanic District from Temp. A (Temporary Agricultural) District to CN (Conservancy) District.

On the morning of Thursday, February 17, 2022, the City Clerk received two protest petitions related to zoning map amendment ID [69274](#) for property between N Sherman Avenue and Packers Avenue described in detail above. The petitions have been added to the legislative file.

The first is pursuant to MGO Sec. 28.182(5)(c)3.c., which stipulates that, in the event that a written protest against the proposed map amendment is filed with the City Clerk and is duly signed and acknowledged by twenty percent (20%) or more of the owners of land immediately adjacent extending 100 feet from the subject property, such map amendment shall not become effective except by a favorable vote of three-fourths (3/4) of the members of the Common Council voting on the proposed change.

The second is pursuant to MGO Sec. 28.182(5)(c)3.d., which stipulates that, in the event that a written protest against the proposed map amendment is filed with the City Clerk and is duly signed and acknowledged by twenty percent (20%) or more of the owners of land directly opposite the subject property and extending one hundred (100) feet from the street frontage of the opposite land, such map amendment shall not become effective except by a favorable vote of three-fourths (3/4) of the members of the Common Council voting on the proposed change.

This protest petitions have been reviewed by the City Attorney's Office, Clerk's Office, and Planning Division, and have been found to be **valid** pursuant to the above sections. **Therefore, a supermajority (3/4) vote of the Common Council is required to pass this ordinance.**

If anyone has questions regarding the petitions or process, please let me know.

Cc (via e-mail):

Michael Haas, City Attorney

Kate Smith, Assistant City Attorney

Matt Wachter, Director, Dept. of Planning and Community and Economic Development

Kevin Firchow, Principal Planner, Planning Division

Colin Punt, Planner, Planning Division

Matt Tucker, Director, Building Inspection Division

Katie Bannon, Zoning Administrator

Joel Oliver, Green Street Real Estate Ventures

Marsha Cannon, Cherokee Circle