

PLANNING DIVISION STAFF REPORT

October 20, 2025



PREPARED FOR THE PLAN COMMISSION

Project Address: 6303 Portage Road and 4821 Hoepker Road
Application Type: Zoning Map Amendment and Preliminary Plat
Legistar File ID # [89899](#) and [89767](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted
Reviewed By: Kevin Firchow, Planning Division

Summary

Applicant: Joann Rubio, Advenir Azora Development, LLC; 17501 Biscayne Boulevard #300; Aventura, Florida.

Surveyor: Aaron Koch, Pinnacle Engineering Group; 20725 Watertown Road Suite 100; Brookfield.

Property Owner: MH Madison, LLC; 654 N Park Boulevard; Glen Ellyn, Illinois.

Requested Actions: Approval of a request to rezone 6303 Portage Road and 4821 Hoepker Road from Temporary A (Agricultural District) to TR-P (Traditional Residential–Planned District) and; approving the preliminary plat of *LEO Living*, creating six lots for future residential development.

Proposal Summary: The preliminary plat of *LEO Living* proposes the subdivision of two parcels of undeveloped agricultural land totaling approximately 39.26 acres into six lots for future residential development in TR-P zoning. The applicant has submitted a conceptual plan for the two lots to be zoned TR-P that calls for approximately 210 single- and two-family rental housing units to be developed as a residential building complex, which will include central tenant amenity buildings. Residential building complexes are a conditional use in the TR-P district and will require review by the Plan Commission following submittal of a future application. Approximately 23 acres of the subject site were attached to the City of Madison from the Town of Burke effective May 1, 2023 following Common Council approval on April 25, 2023. The applicant hopes to begin construction of the development in March 2027, with completion of the development scheduled for December 2028.

Applicable Regulations & Standards: Section 28.182 of the Zoning Code provides the process for zoning map amendments. The requirements, process, and standards for approval for the TR-P zoning district are outlined in Section 28.053 of the Zoning Code and are attached as Appendix A at the end of this report. The subdivision process is outlined in Section 16.23(4) of the Subdivision Regulations.

Review Required By: Plan Commission and Common Council.

Review Schedule: The State’s subdivision statute, Wis. Stats. 236, requires that a preliminary plat be approved, conditionally approved, or rejected (with stated reasons) within 90 days of submittal unless the time is extended by agreement with the applicant. If no action is taken within 90 days and no extension granted, the plat is deemed approved. The current proposed preliminary plat application was submitted to the City on August 25, 2025. The 90-day review period for this preliminary plat is now scheduled to expire on November 25, 2025.

Note: This TR-P zoning request and preliminary plat to create six lots for development are new applications that were filed by the applicant in August 2025 following the denial of similar requests by the same applicant for the subject site earlier this year.

Summary Recommendation: The Planning Division recommends the following to the Plan Commission regarding 6303 Portage Road and 4821 Hoepker Road:

- That the Plan Commission find the standards met and forward Zoning Map Amendment ID 28.022–00728, rezoning the site from Temporary A to TR-P, to the Common Council with a recommendation of **approval** and **conditionally approve** the TR-P master plan; and
- That the Plan Commission find the standards met and forward the preliminary plat of *LEO Living* to the Common Council with a recommendation of **approval** subject to input at the public hearing and the conditions from reviewing agencies beginning on **page 10** of this report.

Background Information

Parcel Location: The site consists of two parcels: 4821 Hoepker Road, an approximately 16-acre parcel located on the south side of Hoepker, a quarter-mile east of Portage Road; 6303 Portage Road is a 23.04-acre parcel located on the east side of Portage Road, 2,000 feet south of Hoepker Road. Both parcels are located in Alder District 17 (Madison) and the DeForest Area School District.

Existing Conditions and Land Use: Undeveloped land, zoned Temporary A (Agricultural District).

Surrounding Land Uses and Zoning:

North: Former Pumpkin Hollow School and single-family residences in the Town of Burke; in the City, undeveloped land, zoned A (Agricultural District);

South: Undeveloped land, UW Health East Madison Hospital, and The American Center, zoned SEC (Suburban Employment Campus District);

West: Burke Lutheran Church, Pumpkin Hollow Driving Range, and single-family residences on the east side of Portage Road in the Town of Burke; on the west side of Portage Road, a single-family residence in the Town and undeveloped land in the City of Madison, zoned A; and

East: American Family Insurance headquarters campus, zoned SEC, and American Center open space, zoned A.

Adopted Land Use Plan: The subject parcels are located within the boundaries of two neighborhood development plans, both of which were updated in 2019. The [Pumpkin Hollow Neighborhood Development Plan](#) was first adopted in 2008 to provide detailed land use, transportation, utility, and growth recommendations for the portions of the existing and future City located north of the American Center, west of the City of Sun Prairie and east of Interstate 39/90/94.

The [Rattman Neighborhood Development Plan](#) was first adopted in 1992 to guide development of The American Center and its immediate environs, generally bounded by the Interstate corridor on the west and US Highway 151 on the southeast. The 2019 amendment extended the boundaries of the planning area northwest to Hoepker and Portage Roads to update the recommendations for the area adjacent to the employment center, including the interface between the employment, conservation, and residential uses along the north and western edges of the American Family Insurance Co. headquarters campus.

The 2019 plan amendments recommend most of the eastern half of the subject site for development in Residential Housing Mix (HM) 1, with a density of eight (8) units an acre overall. The remainder of the site is recommended for stormwater management and open space owing primarily to the presence of a wooded stream that extends east to west across the southern tier of the property. The intermittent stream is part of the headwaters of Starkweather Creek.

The land use polygons for the site in the neighborhood development plans are generally reflected on the future land use maps in the 2023 Comprehensive Plan, which recommends Low Residential (LR) and Park and Open Space (P) consistent with the HM1 and open space polygons in the sub-area plans.

Zoning Summary: The proposed lots will be zoned TR-P (Traditional Residential–Planned District):

Requirements		Required	Proposed
Lot Area		600 sq. ft./unit plus 300 sq. ft. per unit with more than two bedrooms	Lot 1: 28,253 sq. ft. Lot 2: 194,661 sq. ft. Lot 3: 692,675 sq. ft. Lot 4: 339,963 sq. ft. Lot 5: 188,312 sq. ft. Lot 6: 48,422 sq. ft. *The future number of units allowed per lot is to be determined
Lot Width		50'	All lots are greater than 50'
Minimum Front Yard Setback		15'	To be determined with future zoning approvals
Maximum Front Yard Setback		30' or up to 20% greater than block average	
Side Yard Setback		10'	
Reverse Corner Side Yard Setback		12' (10' for garage)	
Rear Yard		20' (Street-accessed), 2' (Alley-accessed)	
Maximum Lot Coverage		75%	
Maximum Building Height		4 stories/ 52'	
Other Critical Zoning Items			
Yes:	Wetlands, Barrier Free, Utility Easements		
No:	Urban Design, Transit-Oriented Development Overlay, Wellhead Protection, Waterfront Development, Floodplain, Adjacent to Park, Landmarks		
Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator			

Environmental Corridor Status: The subject site is located in the Central Urban Service Area (CUSA) as a result of two separate amendments in 1988 and 2009. A wetland located along a portion of the eastern property line of 4821 Hoepker Road is mapped in environmental corridor. However, none of the topographical features present on the 6303 Portage Road parcel were included in the environmental corridor at the time that portion of the site was added to the CUSA in 1988.

Public Utilities and Services: Future development of the subject site will be served by a full range of urban services once available. In the case of City water service, the developer will be required to extend water service north along

Portage Road approximately 1,100 feet from where the existing main ends west of UW Health East Madison Hospital. For sanitary sewer, the City has created the Pumpkin Hollow Neighborhood Sanitary Sewer Impact Fee District to facilitate the extension of interceptor sewers easterly across Interstate 39/90/94 from their current terminus in the Center for Industry and Commerce. Plans for the sewer extension call for two branches of the line, including one to the east and Portage Road, which will serve the subject site (the other branch will extend north to Hoepker Road west of Portage).

Metro Transit operates daily all-day rapid transit service along Eastpark Boulevard and Hanson Road south of this property on Bus Rapid Transit Route A2, with trips at least every 60 minutes (every 30 minutes or less during the day on weekdays and Saturdays). There are no eligible trips towards US Green Building Council/LEED Quality Access to Transit points due to the closest Metro Transit bus stops with regularly scheduled service being at least a half-mile walking distance from the site (with an incomplete sidewalk pedestrian network).

Previous Request

On March 11, 2025, the Common Council placed a request to rezone 6303 Portage Road and 4821 Hoepker Road from Temporary A (Agricultural District) to TR-P (Traditional Residential–Planned District) and A on file without prejudice rejected the preliminary plat of *LEO Living* to create two lots for future residential development and two lots/outlots for future development.

The Common Council actions were consistent with March 3, 2025 recommendations by the Plan Commission on those requests. In recommending that the preliminary plat be rejected, members of the Plan Commission noted that the Subdivision Regulations require that preliminary plats be consistent with adopted plans and that the proposed subdivision is inconsistent with the City's adopted plans for the subject properties, noting in particular the inconsistency with the stormwater management and open space recommendation for portions of the subject site and the recommended street network. Information on the prior request may be found here: ID [86736](#).

Project Description

Following the denial of the requests noted in the preceding section, Advenir Azora Development has submitted new requests for approval of a zoning map amendment and the preliminary plat of *LEO Living* for two undeveloped parcels totaling 39.26 acres located in the southeastern quadrant of Hoepker Road and Portage Road. The new preliminary plat request proposes the creation of six lots to be developed in the future with approximately 210 rental housing units with tenant amenities. The applicant proposes to rezone the entire site TR-P (Traditional Residential–Planned District) with their current application.

The two parcels, 6303 Portage Road and 4821 Hoepker Road, roughly form a “J” shape and are characterized by 393.75 feet of frontage along Hoepker Road and approximately 2,100 feet of depth measured from the southern edge of the road to the southern property line. The overall site is connected to Portage Road by a 100-foot wide “panhandle” of property located south of Burke Lutheran Church.

The northern portion of the property is characterized by agricultural land that falls gradually from west to east towards a wetland and enclosed depression located along a portion of the eastern property line of the 4821 Hoepker Road parcel. Tree lines are present along both the eastern and western lines of the portion of property fronting Hoepker. The southern portion of the subject site is characterized by an intermittent stream that drains

from near the center of the property to the west across Portage Road and Interstate 39/90/94 to form the west branch of Starkweather Creek. The stream is located in a wooded ravine that crosses the southern tier of the subject site and adjacent church lands. The rest of the southern portion of the subject site features substantial tree cover along the edges and a plowed field upland of the stream. The substantial woodlands continue south from the property along the east side of Portage Road on an undeveloped parcel currently owned by American Family Insurance Co. UW Health East Madison Hospital is located approximately 1,000 feet due south of the southern edge of the subject site. In addition to The American Center to the south and east and Burke Lutheran Church to the west, the area surrounding the site is characterized by a combination of undeveloped land in the City of Madison and Town of Burke and a number of single-family residences on large lots in the Town.

Access to the proposed development will be provided by a 70-foot wide public street right of way ("Road A") that will extend north-south from Hoepker Road to the southern property line. Two local streets ("Road B" and "Road C") are proposed to extend east-west across the northern portion of the subdivision consistent with the street pattern recommended for the site in the 2019 Rattman Neighborhood Development Plan. Roads B and C are planned to extend in the future to provide access to residential development on the adjacent parcels.

The six proposed lots will be developed in the future with approximately 210 units of single- and two-family dwellings that will be accessed from a combination of public streets and private drives. A concept plan for the residential development included with the TR-P zoning materials includes a variety of on-grade parking and attached garages. An outdoor pool and two clubhouse buildings will be provided for residents of the future complex, which will be located on Lot 6 of the subdivision in the northeastern corner of the development. The housing development is considered a residential building complex for zoning purposes, which is a conditional use in the proposed TR-P district and will require a subsequent application for approval by the Plan Commission prior to the issuance of building permits to construct the single- and two-family residences and resident amenities. In addition to the residential development, stormwater management facilities are planned along the east side of Road A between Road B and Road C, and at the southern edge of the development in ponds planned on either side of Road A. No development is proposed on the portion of the site that generally extends between Road A and Portage Road, including on the land characterized by significant tree cover and the wooded ravine. At this time, the proposed subdivision calls for no outlots (public or private) to be created.

Analysis

Consistency with Adopted Plans

In order to approve the zoning map amendment, the Common Council shall find that the zoning map amendment is based on public health, safety and welfare, and is *consistent with* the City's Comprehensive Plan as required by Section 66.1001(3) of Wisconsin Statutes. "Consistent with" is defined as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan." By extension, the Comprehensive Plan encourages consistency with adopted neighborhood and other sub-area plans, which are adopted as supplements to the Comprehensive Plan.

The subject parcels are located within the boundaries of two neighborhood development plans, both of which were updated in 2019. The Pumpkin Hollow Neighborhood Development Plan was first adopted in 2008 to provide detailed land use, transportation, utility, and growth recommendations for the portions of the existing and future City located between the American Center and State Trunk Highway 19, west of the City of Sun Prairie and east of Interstate 39/90/94.

The [Rattman Neighborhood Development Plan](#) was first adopted in 1992 to guide development of The American Center and its immediate environs, generally bounded by the Interstate corridor on the west and US Highway 151 on the southeast. The 2019 amendment extended the boundaries of the planning area northwest to Hoepker and Portage Roads to update the recommendations for the area adjacent to The American Center, including the interface between the employment, conservation, and residential uses along the northern and western edges of the American Family Insurance Company's headquarters campus.

The recommendations adopted in 2019 amendments are reflected in both plans. Most of the 4821 Hoepker Road parcel and the northeastern corner of the 6303 Portage Road parcel are recommended for development in Residential Housing Mix (HM) 1, with a density of eight (8) units an acre overall. Per the [Pumpkin Hollow Neighborhood Development Plan](#), HM1 is primarily recommended for development of detached single-family housing on individual lots, but limited areas within HM1 districts may be developed with rowhouses, townhomes and duplexes at appropriate locations identified as development plans for specific subdivisions are prepared. It is specifically recommended that single-family housing developments include a range of house types and lot sizes. Rowhouses (or townhomes) and duplexes are recommended in HM1 to provide higher-density housing options at some locations, particularly near where HM1 areas are located in close proximity to the denser HM2 and HM3 areas.

The remainder of the site is recommended for stormwater management and open space owing primarily to the presence of the wooded ravine that extends east to west across the southern tier of the property, which contains an intermittent stream that is part of the headwaters of Starkweather Creek. Additionally, the portion of a wetland and enclosed depression located along the eastern property line of the 4821 Hoepker parcel is identified for stormwater management in both plans.

The land use polygons for the site in the neighborhood development plans are generally reflected on the future land use maps in the 2023 [Comprehensive Plan](#), which recommends Low Residential (LR) and Park and Open Space (P) consistent with the HM1 and stormwater management and open space polygons in the sub-area plans.

Access to the planned HM1 development on the eastern tier of the subject parcels is to be provided by a north-south collector street that would extend through the 4821 Hoepker parcel to eventually connect to American Family Drive on the west side of the American Family Insurance Company's headquarters campus before eventually connecting to Eastpark Boulevard east of the UW Health East Madison Hospital. The [Rattman Neighborhood Development Plan](#) recommends upgrading American Family Drive through the headquarters campus from a private drive to a public street and extending the street to Hoepker Road to improve connectivity to and within the planning area. The north-south collector street through the subject site from American Family Drive to Hoepker Road would be located approximately halfway between the Portage Road-Hoepker Road intersection and the future intersection of the recommended extension of American Family Drive to Hoepker Road. A network of east-west local streets is proposed on either side of the north-south collector to provide access to the HM1 development recommended for the subject site and adjoining parcels on the east and west. Neither neighborhood development plan recommends a street connection from the site directly to Portage Road through the 100-foot wide panhandle, which was proposed on the previous plan for the site.

Staff continues to feel that the type of development proposed on the concept plan that accompanies the TR-P zoning materials is consistent with the housing recommended for HM1 areas in both the Pumpkin Hollow and Rattman neighborhood development plans. However, unlike the previous plans for the site denied earlier this

year, where the location of the proposed residential development was inconsistent with where the HM1 is recommended in both plans, the proposed residential development on the current requests will also generally be located in a manner consistent with the adopted plans. Staff does not object to the entirety of the site being zoned TR-P at this time because the master plan accompanying the zoning request does not call for development on the portions of the site recommended for open space and stormwater management. However, it may be appropriate to rezone portions of the site not recommended or proposed for development to a more restrictive district(s) that reflect the limited nature of portions of the site, in particular the portion of Lot 3 located west of the housing along and just west of Road A, which is characterized by significant tree cover, the wooded ravine, and intermittent stream.

The street network proposed with the current preliminary plat also better aligns with the street network recommended for the subject site. Road A generally follows the north-south alignment shown in adopted plans, and two east-west public streets (Road B and Road C) have been added to support the residential development planned on the parcels located on either side of the 4821 Hoepker parcel. However, two additional east-west local streets are shown in the 2019 neighborhood development plans generally south of proposed Road C, which are planned to support future residential development on the parcel to the east. Staff believes that at least one of those planned streets should be accommodated with the proposed LEO Living development to facilitate future development on the parcel to the east as a condition of preliminary plat approval. Staff recommends that the southernmost private lane proposed to extend east from Road A on Lot 4 could be converted into the third east-west public street to satisfy this requirement. Due to Road C being located somewhat further south than the streets in the City's adopted plan, staff feels that one additional street should suffice to support development of the adjacent parcel consistent with the HM1 recommended for that site.

Compliance with the Subdivision Regulations

Section 16.23(4)(c) requires that a preliminary plat shall be reviewed by the Department of Planning and Community and Economic Development for conformity with the Comprehensive Plan and any adopted neighborhood, sub-area and transportation plans, the Official Map, all ordinances, administrative rules and regulations, and shall transmit a copy of the preliminary plat to appropriate City agencies for review and comment concerning matters within their jurisdiction. The Department of Planning and Community and Economic Development shall submit the comments and proposed conditions of approval to the Plan Commission. The Plan Commission shall provide a recommendation on the preliminary plat to the Mayor and Common Council, who within 90 days of filing shall approve, approve conditionally, or reject the preliminary plat and shall state in writing or by resolution any conditions of approval or reasons for rejection. Approval or conditional approval of a preliminary plat shall not constitute approval of the final plat, but rather it shall be deemed an expression of approval of the layout submitted as a guide to the preparation of the final plat or CSM, which will be subject to further consideration by the Plan Commission.

Unlike the preliminary plat that was reviewed by the Plan Commission and denied by the Common Council earlier this year, the Planning Division believes that the current six-lot preliminary plat can meet the standards and criteria for approval. As noted in the preceding section, the proposed preliminary plat generally reflects the land use and street pattern recommended for the site in the City's adopted plans. Further, the layout of the proposed subdivision better responds to the physical characteristics of the site and avoids most of the "unfavorable" topography in the southwestern corner of the property, which includes most of the significant tree cover on the site as well as the wooded ravine and intermittent stream.

However, a few key considerations have emerged with the current preliminary plat proposal that bear consideration by the Plan Commission as the project moves forward.

MGO Section 16.23(3)(a)11 requires that a preliminary plat or final plat of any subdivision, or a land division shall not be approved unless the Plan Commission and the Common Council determine that adequate public facilities and public services are available to support and service the area of the proposed subdivision or land division. The subsection includes among the factors to be considered: adequate accessibility by existing or planned transportation facilities like roads and sidewalks; the ability to serve the development with water, sanitary sewer, and storm sewer; and whether the subdivision or land division can be adequately served by parks and schools. When approving a subdivision or land division, the Plan Commission and Common Council shall also consider the recommendation of the Fire Department on the adequacy of any proposed streets to provide access for firefighting commensurate with the intensity of development proposed and in consideration of the Building Code, MGO Chapter 29, and the Fire Prevention Code, MGO Chapter 34.

In pre-application discussions with the applicants dating back to 2024, staff from the Planning Division and Madison Fire Department indicated that the density and location of the proposed TR-P residential development would require more than one street to provide access in order to distribute vehicle trips from the project and provide more than one means of access for public safety providers. However, given the configuration of the subject site, the second street proposed with the earlier version of the development was considered to be both inconsistent with the adopted plans for the area and detrimental to the topography present where the road was proposed to connect to Portage Road across the southwestern portion of the site.

The ability to provide a second access for the development is limited at this time. However, the development team in discussing the current requests with City staff prior to formal submittal agreed to install fire sprinklers in all of the buildings within the development in lieu of providing a second public access to the development. The Fire Department feels that installation of sprinklers will allay some of their concerns about the limited access to the property initially until other properties surrounding are developed and additional access to the subject development can be secured. While the installation of sprinklers will only assist with fire suppression and not other types of emergencies like calls for police service or medical emergencies, the ability for sprinklers to significantly decrease fire danger and limit fire spread until fire crews arrive and begin firefighting is a significant step toward ensuring public safety for the development. The requirement to install fire sprinklers in all buildings will be applied with the residential building complex conditional use approval required prior to the issuance of building permits for the development unless the developer is able to dedicate and construct a second public means of access to the development beforehand.

As of the writing of this report, no comments have been submitted by the Madison Police Department.

Future development of the subject site will be served by a full range of urban services once available. In the case of City water service, the developer will be required to extend water service north along Portage Road approximately 1,100 feet from where the existing main ends west of UW Health East Madison Hospital. The applicants will need to work with Water Utility staff on the location and alignment of the water mains to serve the site between Portage Road and Road A prior to construction. For sanitary sewer, the City has created the Pumpkin Hollow Neighborhood Sanitary Sewer Impact Fee District to facilitate the extension of interceptor sewers easterly across Interstate 39/90/94 from their current terminus in the Center for Industry and Commerce. Plans for the

sewer extension call for two branches of the line, including one to the east and Portage Road, which will serve the subject site (the other branch will extend north to Hoepker Road west of Portage).

Also, the City Engineer has submitted comments and conditions that indicate that the proposed stormwater management plan for the development will require the creation of an outlet or outlets to be dedicated to the City, and that the proposed intersections of Hoepker Road and Road A does not meet sight distance standards per the American Association of State Highway and Transportation Officials (AASHTO). If adequate sight distance does not exist for that intersection, the intersections may need to be changed or the applicant will be required to make improvements to the roadways such that the sight distance is achieved or mitigating improvements made as required by the City. These improvements may require right of way outside of the plat limits.

The Traffic Engineering Division recommends that both Roads B and C be classified as ‘Neighborhood Streets’ as defined by the [Complete Green Streets Guide](#). Per the Guide, Neighborhood Streets may be designed as local or collector streets for fewer than 3,000 average daily motor vehicle trips, with a typical travel way width of 20 feet and typical right of way of 64 feet. Road A has been designated as a ‘Community Connector’ per the Guide, with an 80-foot right of way recommended in this case. Final approval of the construction plans for individual streets will be granted by the Common Council following review by the Transportation Commission and Board of Public Works and approval of a final plat. Consistent with conditions on other recent subdivision approvals, staff requests that all streets be dedicated with minimum eight-foot terraces between the curb and sidewalk.

Finally, the Parks Division is requesting that parkland dedication be provided for the development. Parks Division staff requests that parkland of adequate size to meet the full land dedication requirements as stipulated in the Subdivision Regulations be dedicated with the proposed plat near the northwest portion of the 6303 Portage Road parcel consistent with the location of parkland shown in the [Pumpkin Hollow Neighborhood Development Plan](#) and [Rattman Neighborhood Development Plan](#). The general location of the proposed park parcel will allow for future park land to be dedicated to the north when the adjacent land develops. The southern boundary of this park outlet should be offset a minimum of 75 feet from the intermittent stream/drainageway centerline and should provide frontage to a public right of way for access. Parks staff recommends that dedicated park should be zoned PR (Parks and Recreation District) prior to final plat approval and recording.

Conclusion

The applicants are requesting approval of a zoning map amendment and the preliminary plat of *LEO Living* to allow the future creation of six lots for residential development in TR-P zoning from 39.26 acres of land located at 6303 Portage Road and 4821 Hoepker Road.

Staff believes that the current zoning map amendment and preliminary plat requests are generally consistent with the [Rattman Neighborhood Development Plan](#) and [Pumpkin Hollow Neighborhood Development Plan](#) and can meet the standards for approval subject to conditions. The proposed residential development generally reflects the land uses and density recommended in the Residential Housing Mix 1 land use category and in the general location recommended. The layout of the proposed subdivision is also generally consistent with the street plan for the site in adopted plans with the exception that an additional east-west local street is needed to support the development planned for the adjoining parcels on the east, which staff recommends be added as a condition of approval.

In addition to the third east-west local street, some aspects of the proposed development will need additional refinement as the project moves forward to final platting as outlined in the 'Analysis' section of this report. Staff recommends that a revised preliminary plat be submitted prior to or concurrent with the subsequent final plat of the subdivision, which addresses the comments within the narrative of the report and the conditions of approval that follow in the next section, which will include identifying the size, location, and access to a proposed park outlot, as well as outlots to be dedicated for stormwater management.

Finally, only one public street will be provided to serve the proposed development. Due to the number of units proposed (210), codes would require that two points of access be provided. However, only one point of access is proposed at this time. The applicant has agreed to install fire sprinklers in all of the buildings in the development to partially mitigate the limited access, which the Madison Fire Department believes will help offset the limited access until surrounding parcels are developed. Implementation of the fire sprinklers will be a condition of approval of the conditional use residential building complex required prior to issuance of building permits unless a second public access is dedicated and constructed by the developer.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

The Planning Division recommends the following to the Plan Commission regarding 6303 Portage Road and 4821 Hoepker Road:

- That the Plan Commission find the standards met and forward Zoning Map Amendment ID 28.022-00728, rezoning the site from Temporary A to TR-P, to the Common Council with a recommendation of **approval**, and **conditionally approve** the TR-P master plan; and
- That the Plan Commission find the standards met and forward the preliminary plat of *LEO Living* to the Common Council with a recommendation of **approval** subject to input at the public hearing and the conditions from reviewing agencies that follow.

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

Planning Division

1. **Prior to or concurrent with the submittal of a final plat for this development, a revised preliminary plat shall be submitted to the City that satisfies all of the conditions of this preliminary plat approval. The revised preliminary plat shall be approved by the Common Council following review by the Plan Commission and shall guide approval of the final plat(s) of this subdivision.**
2. The subdivision shall include a third east-west public street to extend from 'Road A' and the eastern property line consistent with the Land Use and Street Plan in the 2019 Rattman Neighborhood Development Plan. The third street should be within 300 feet of the southern property and shall have a right of way of 64 feet consistent with a Neighborhood Street in the Complete Green Streets Guide. The final location of this third east-west street shall be approved as part of the revised preliminary plat. Staff recommends that the additional street could be dedicated in place of where the southernmost east-west private lane is shown on the accompanying plans.

3. The final plat shall dedicate outlots for stormwater management and parkland to the City consistent with the comments and conditions submitted by the City Engineering Division and Parks Division.
 4. The final plat of the property shall show the ordinary high water mark (OHWM) of the intermittent stream/drainageway and include a setback from the OHWM consistent with the requirements in the *Dane County Water Quality Plan*.
 5. Consistent with the requirements in the *Dane County Water Quality Plan*, the plat shall provide a 75-foot setback from the delineated wetland on and adjacent to proposed Lot 5. Wetland references on the plat and related plans shall be limited to the delineation dated December 23, 2024; references to DciMap or other sources shall be removed.
 6. In order to comply with the Building Code, MGO Chapter 29, and the Fire Prevention Code, MGO Chapter 34, and in consideration of the standards for subdivision approval in MGO Section 16.23(3)(a)11, the applicant will be required to dedicate and construct a second public access to serve the subdivision and residential development prior to final approval of a conditional use for the residential building complex. In lieu of providing that second access, the developer will be required at a minimum to install fire sprinklers in all buildings consistent with the comments by the Madison Fire Department as a condition of meeting the conditional use approval standards, which stipulate that the establishment, maintenance or operation of a conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
 7. The revised preliminary plat and final plat of the subdivision may be subject to tree preservation requirements on the southern portion of the site between Road A and Portage Road. The final size and location of the outlots to be required for parkland and stormwater management and the location and alignment of corridors for public water and sanitary sewer service may impact the extent of tree preservation possible.
 8. The applicant shall work with the Planning Division and Capital Area Regional Planning Commission to revise the environmental corridor map to reflect the changes or additions to the mapped corridor proposed by the development prior to final approval and recording of the final plat.
9. Note: Approval of the zoning map amendment, TR-P master plan, and preliminary plat by the Plan Commission and Common Council does not constitute approval of the development conceptually shown for Lots 1–6. The applicant or successor will be required to submit applications to obtain approvals as required by the Zoning Code. Future development of those lots is required to comply with the applicable bulk and design requirements of the Zoning Code, including the building form standards in Sub-Chapter 28K. Any future conditional uses will be reviewed using the standards and process in Section 28.183 of the Zoning Code.

The following conditions of approval have been submitted by reviewing agencies:

City Engineering Division (Contact Brenda Stanley, (608) 261-9127)

10. A Phase 1 environmental site assessment (per ASTM E1527-13), is required for lands dedicated to the City. Provide one (1) digital copy and staff review will determine if a Phase 2 ESA is also required. Submit report(s) to Environmental Review (environmentalreview@cityofmadison.com).

11. The development is dependent on City sewer being built across Interstate 39/ 90/ 94 to Hoepker Road. This City sewer project across the interstate will be funded with the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact fee. The final plat will need to be recorded prior to City moving forward with building the sanitary sewer improvements.
12. Enclosed depressions shall be served to the 100-year event with pipes and sufficient inlets (as there are multiple enclosed depressions proposed in the development it does not appear surface overflows are workable) and overflows from this event shall not leave the public right of way.
13. Provide calculations for the 500-year storm event, as identified in Madison General Ordinance Chapter 37, as part of the plat design and stormwater management plan. The flows from this design storm event will be routed through the development and used to determine an anticipated safe top of concrete foundation elevation for future buildings in critical areas. There are multiple locations in the development on both private and public streets where enclosed depressions have been created. It will be required to document that in a 500-year event these areas do not flood structures.
14. The City does not have an easement for drainage to the south of the plat. Volumetric discharges shall control/ match the 10-year volume off the site in a pre-development condition or the applicant shall acquire easements downstream to the interstate culverts.
15. Both storm and sanitary sewer pipes shall be extended stormwater pipe to the west to pick up the draw shown on sheet 6/50 of the Project Plans. The proposed draw currently lines up with the middle of three homes. This is unacceptable. A public outlot a minimum of 30 feet in width shall be dedicated for storm and sanitary sewer directly in line with this draw, extending east to the nearest roadway
16. All stormwater treatment areas are labeled as ponds. This development has a significant infiltration requirement. The south treatment areas appear to be dry or infiltration basins based on contours, but they do not have pretreatment designed in. Pretreatment is required by the City and the Wisconsin Department of Natural Resources. The stormwater management design shall be revised to address these issues.
17. The stormwater management plan proposes to mix public and private storm systems throughout this development. At each location where a private pipe enters the public right of way, a privilege in streets agreement shall be required. In the alternative, the developer may design their stormwater management to direct public stormwater to ponds to be located on outlots dedicated to the City, with private stormwater to be managed on the proposed lots.
18. A public stormwater easement and ingress-egress easement shall be granted over all of the north pond and associated wetland and wetland setback. [Author's Note: Land that includes wetland area or any area dedicated or reserved by easement to the public for stormwater management does not count towards lot area for zoning purposes per the definition of 'Lot Area' in Section 28.211 of the Zoning Code.]
19. At multiple locations throughout the proposed development, the stormwater management plan proposes to install public pipe in private streets. In all locations, a storm easement shall be granted to the City of Madison and include ingress-egress rights to operate and maintain these pipe systems. Inlets and leads serving these

private streets shall be designed and approved by City Engineering but shall be privately owned and maintained.

20. For all stormwater treatment systems and wetlands that are owned privately but the City has a public easement over, the developer shall enter into a maintenance agreement recorded against one or more parcels in this plat to document maintenance responsibilities.
21. A minimum of two (2) working days prior to requesting City Engineering Division sign-off on the plat. Contact either Tim Troester (West) at (608) 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at (608) 261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to subdivision of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
22. Install 30-foot long split rail fence sections at inflection points along the boundary of lands dedicated for public stormwater purposes at property corners or in locations that are approved by the City Engineering Division.
23. The developer shall enter into a City/Developer agreement for the required infrastructure improvements. The agreement shall be executed prior to sign-off of the final plat. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.
24. The developer shall construct Madison standard street, multi-use path, and sidewalk improvements for all streets within the plat or CSM.
25. The developer shall construct sidewalk/path, terrace, curb and gutter, and pavement along the south side of Hoepker Road adjacent to development as required by the City Engineer.
26. The developer shall make improvements to Hoepker Road in order to facilitate ingress and egress to the development. Improvements can include but are not limited to adding pavement for turn lanes, curb, gutter, storm and sanitary sewer, water main, pavement markings, and streetlights. Construction of improvements shall be made per plans approved by the City Engineer.
27. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
28. This development is subject to impact fees for the Pumpkin Hollow Neighborhood Sanitary Sewer Impact Fee District. All impact fees are due and payable at the time building permits are issued. Add the following note on the face of the plans, final plat: "Lots / buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued."
29. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder ((608) 261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering Division sign-off.

30. An Erosion Control Permit is required for this project.
31. A Storm Water Management Report and Storm Water Management Permit are required for this project.
32. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.
33. A portion of this plat/project may come under the jurisdiction of the US Army Corp of Engineers and the Wisconsin Department of Natural Resources for wetland, floodplain, or navigable waterway issues. A permit for these items may be required prior to construction. Contact the USACOE and WDNR for a jurisdictional determination. Provide a digital copy of the wetland delineation. Wetland delineations shall be less than five (5) years old.
34. Submit a soil boring report that has been prepared by a Professional Engineer two weeks prior to recording the final plat to the City Engineering Division indicating the ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than nine (9) feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
35. Submit proposed lot corner grades with the stormwater management plan as these two items must be reviewed together to properly determine stormwater overflow conditions. Prior to the issuance of building permits, submit a master stormwater drainage plan with final as-built lot corner grades. These grades may be modified from the originally proposed grades provided they continue to meet design tolerances. No building permits shall be issued prior to City Engineering's final approval of this plan.
36. Confirm that adequate sight distance exists where streets intersect per AASHTO design standards for intersection sight distance. If adequate sight distance does not exist, change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make mitigating improvements as required by the City. Caution: The improvements indicated may require right of way outside of the plat limits. Note: Potential issues with Intersection sight distance are identified at the intersection of Hoepker Road and Road A.
37. The developer shall construct 'Road A' all the way to the south plat boundary to a plan approved by the City Engineer.
38. Entrances to private streets/alleys shall be constructed as commercial driveway entrances. Final geometry will be determined by the City Traffic Engineer.

39. The developer shall install a property boundary witness markers along the boundary of lands dedicated for public stormwater purposes at property corners or in locations that are mutually agreeable to the applicant and City Engineering Division.
40. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard
41. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11- by 17-inch copy of an erosion control plan (PDF electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
42. Demonstrate compliance with MGO Sections 37.07 and 37.08 regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
43. The developer shall complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by MGO Chapter 37.
44. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website. The Storm Water Management Plan & Report shall include compliance with the following:
 - Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.
 - Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))
 - Detain the 2-, 5-, 10-, 100-, and 200-year storm events, matching post-development rates to pre-development rates and using the design storms identified in MGO Chapter 37.
 - Provide infiltration of 90% of the pre-development infiltration volume.
 - Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.
 - Provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event.
 - The applicant shall demonstrate that water can leave the site and reach the public right of way without impacting structures during a 100-year event storm. This analysis shall include reviewing overflow elevations and unintended storage occurring on site when the storm system has reached capacity.
 - Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any best management practices (BMP) used to meet stormwater management requirements on this project.

45. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

City Engineering Division – Mapping Section (Contact Jeffrey Quamme, (608) 266-4097)

46. The existing southerly 33 feet of the right of way of Hoepker Road along the northerly side of this preliminary plat currently lies in the Town of Burke. The applicant shall coordinate with the City's Planning Division and provide a petition, in conformance with the existing Cooperative Plan with the Town of Burke, to attach these lands to the City of Madison.
47. It is anticipated that the public improvements required to serve this proposed plat will require additional right of way and/or easements located beyond the plat boundary. The developer shall acquire the right of way and/or easements as required by the City at the developer's expense. In the event that the developer is unable to acquire the right of way and/or easements required, the City shall proceed to acquire the easements. The developer shall reimburse the City for all costs associated with the acquisition, including attorney's fees and any and all costs associated with court ordered awards. The developer shall provide a deposit at the time of contract execution to cover the estimated City staff expenses and easement cost for the acquisition. The developer shall note that separate, additional surety in an amount estimated to cover any potential court ordered awards shall be retained by the City until such time as appeal rights have expired. The additional surety shall be provided prior to the City making an offer for the easement or lands.
48. The developer shall grant a Public Sanitary Sewer and Water Main Easement with a width as required by Engineering and the Water Utility for the sanitary sewer and watermain crossing proposed Lot 3. The easement text and conditions shall include Consent to Occupy Easement language for any private improvements lying within the easement area, which shall be the owner's responsibility to repair or replace if removed for the construction, maintenance, or repair of the public facilities. Contact Jeff Quamme of Engineering–Mapping (jrquamme@cityofmadison.com, 608-266- 4097) for the final required language on the final plat.
49. The developer shall grant a Public Storm Sewer Easement for the overflow pipe per the preliminary utility plan over proposed Lots 3–5. The easement text and conditions shall include Consent to Occupy Easement language for any private improvements lying within the easement area, which shall be the Owner's responsibility to repair or replace if removed for the construction, maintenance, or repair of the public storm sewer facilities. Contact Jeff Quamme of Engineering–Mapping (jrquamme@cityofmadison.com, 608-266-4097) for the final required language on the final plat.
50. The developer shall grant a Public Storm Water Management Easement for the proposed bio-infiltration basin as proposed within proposed Lot 5. Contact Jeff Quamme of Engineering–Mapping or the final required easement language for the final plat. Also, a separate easement agreement and covenants shall be drafted by City's Office of Real Estate Services and recorded setting forth conditions and responsibilities between the City and the development for the construction, maintenance, and repair of the shared facilities.

51. The developer shall grant a 15-foot wide Permanent Limited Easement for grading and sloping along Hoepker Road right of way on the plat. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) for easement language.
52. The applicant shall have the Sewerage Easement along the easterly side of this plat per Document No. 2654613 and assignment per Document No. 4228441 released by the Town of Burke and the Village of DeForest.
53. The Covenant for Storm Water Maintenance per Document No. 5415009 appears to encumber a portion of the lands within this plat per the first description in Exhibit A. Any portion of this covenant shall be released within this plat prior to final plat approval.
54. There is an additional 27 feet of right of way along Hoepker Road being dedicated for a total of 60 feet from the centerline. Any utility having rights within the additional dedication areas shall release or convey their rights prior to the recording of the final plat.
55. The applicant shall dedicate an additional seven (7) feet of right of way along Portage Road for a total of 40 feet from the centerline. The Wisconsin Telephone Easement or any other utility rights lying within this dedication area shall be released or rights conveyed to the City prior to final plat approval.
56. The final width of right of ways shall be as required by the Traffic Engineering Division.
57. Dependent on stormwater management discussions with City Engineering Division Stormwater staff, there may be separate public and private storm water management facilities. The applicant shall be aware any private pipes crossing a public right of way would be required to have a Privilege in Streets agreement which includes an annual fee and requires the developer to register with Digger's Hotline for notification of digging requests within the right of way.
58. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final plat.
59. All centralized USPS mailboxes shall be installed and maintained internally within the lots. None shall be accessed from a public right of way.
60. The final plat shall provide on its face the required setbacks from wetlands as are required per the Central Urban Service Area amendment that includes this proposed plat area.
61. Clearly show the City of Madison Corporate Boundary on the preliminary plat.
62. Interior intersections shall have corner curve radii of 15 feet as required by MGO 16.23(6). The intersection corners of Road A at Hoepker Road shall be dedicated with 25' radii.
63. Create outlots dedicated to the public for stormwater management purposes encompassing the two basins at the southerly end of the plat. These basins may be subject to a separate easement agreement and covenants drafted by City's Office of Real Estate Services and recorded setting forth conditions and responsibilities between the City and the development for the construction, maintenance, and repair of any shared facilities.

64. Provide a public drainage easement of a width to be determined by the City Engineering Division centered on the intermittent drainageway over proposed Lot 3. Also provide a 20-foot wide storm sewer easement over proposed Lot 3 for the storm sewer discharging from the southwest basin to the intermittent drainageway as per the proposed utility plan.
65. Add text to the intermittent drainageway that it has been determined as non-navigable.
66. Provide a list of proposed street names to Lori Zenchenko (lzenchenko@cityofmadison.com) for review and approval.

Traffic Engineering Division (Contact Sean Malloy, (608) 266-5987)

67. The applicant shall dedicate sufficient right of way to allow for minimum eight (8)-foot terraces on all streets in this plat. Any variances shall be approved by the City Traffic Engineer.
 68. 'Road A' shall be classified as a Community Connector as defined by the current Complete Green Streets Guide. The typical right of way width for a Community Connector is 80 feet.
 69. Both 'Road B' and 'Road C' shall be classified as Neighborhood Streets as defined by the current Complete Green Streets Guide. The typical right of way width for Neighborhood Streets is 64 feet. [Author's Note: The third east-west street required by the Planning Division shall provide a minimum of 64 feet of right of way similar to Road B and Road C.]
 70. The applicant shall work with the Traffic Engineering and City Engineering Divisions on the configuration and design of the Hoepker Road/Road "A" intersection. Final geometrics to be determined by City Traffic Engineer.
71. The applicant shall add a note to the plat stating no driveway shall be constructed that interferes with the orderly operation of the pedestrian walkway. This will require all pedestrian ramps to be constructed separate from driveway entrances; a curb-head of no less than six inches in width shall be constructed between all pedestrian ramps and driveway entrances. This is especially important at 'T' intersections where lot and building layout become critical; to prevent interference with the pedestrian ramp, lots intersecting or adjacent 'T' intersection may require a shared driveway and access.
 72. The applicant shall provide a minimum 150-foot centerline radius and a minimum 100-foot tangent between curves on all public right of ways in this plat per MGO Section 16.23(6)(a)(11).
 73. Public right of way configuration and design along with site plans are not approvable through the plat approval process. The applicant shall work with Traffic Engineering and City Engineering staff on the final right of way design.
 74. Prior to final sign-off, the applicant shall work with the Traffic Engineering Division's Electrical Section to record the necessary easements for streetlights. Typically, Traffic Engineering requires a 12-foot easement between lots and 6-foot easements on corner lots where streetlights are needed.

Parking Division (Contact Trent W. Schultz, 608-246-5806)

75. This agency reviewed this project and determined a Transportation Demand Management (TDM) Plan is not required as part of subdivision review. As development in the subdivision progresses, residential uses with 10 or more dwelling units and other applicable uses will be subject to TDM Plan review per MGO Section 16.03.

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4429)

76. Work with Zoning and Planning staff to finalize approval of the TR-P Master Plan for the proposed development.

77. Include an open space exhibit identifying the various open space areas within the development per Section 28.053(5)(a) Site Design Standards for Open Space. Open space shall be available to the residents of the district for recreational purposes or similar benefit. Land reserved for stormwater management and other required site improvements shall not be applied to this requirement, unless designed as open space that will meet resident needs.

78. Submit a phasing plan exhibit for the implementation of the master planned development.

79. Identify the typical building materials on the building floor plans and elevations.

Fire Department (Contact Matt Hamilton, (608) 266-4457)

80. Per MGO Chapter 34/ IFC 503, fire access lanes shall be a minimum of 20 feet wide and have an inside turn radius of 28 feet. Revise the fire access plan to address this requirement.

81. Per IFC D106, provide NFPA 13D fire sprinklers in all one- and two-family dwellings, and NFPA 13 in any commercial buildings per previous conversations with the applicant due to the proposed single fire access point. Revise the fire access plan to address this requirement, which shall be enforced at the time of conditional use approval for the residential building complex.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

82. The Madison Water Utility's standard policy for buried infrastructure is for it to be located within public right of way, preferably within roadway corridors. Only in rare circumstances are easement installations permitted. Please provide additional information on future roadway and/or right of way corridors in the vicinity of the proposed development and schedule a coordination discussion evaluate alternative routes to extend water supply to this proposed development. Please coordinate with Design & Construction Engineer, Adam Wiederhoeft at awiederhoeft@madisonwater.org, or (608) 266-9121.

83. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat per MGO 16.23(7)(d)(3).

84. All public water mains and water service laterals shall be installed by a standard City subdivision contract / City-Developer agreement. The applicant shall contact City Engineering Division to schedule the development of plans and the agreement.

Metro Transit (Contact Tim Sobota, (608) 261-4289)

This agency has reviewed this request and recommended no conditions of approval

Parks Division (Contact Brian Kowalski, (608) 243-2848)

85. Park land dedication is required per MGO Section 16.23(6)(f). The Pumpkin Hollow Neighborhood Development Plan and Rattman Neighborhood Development Plan indicate Park, Open Space and Drainage area on lands included in the southwest area of the proposed plat. Provide park land dedication in the northwest portion of the 6303 Portage Road parcel of adequate size to meet the full land dedication requirements in MGO Section 16.23(6)(f). The southern boundary of the dedicated outlot should be offset a minimum of 75 feet from the intermittent stream/drainageway centerline. The dedicated lot should allow for future park land dedication to the north and shall provide frontage to a public right of way for access. The dedicated outlot should be zoned PR (Parks and Recreation District) prior to or concurrent with approval of the final plat.
86. The following note should be included on the final plat: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued." The Parks Division shall be required to sign-off on this subdivision.
87. Prior to sign off on the final plat or CSM, the applicant shall execute a declaration of conditions and covenants along with an impact fee schedule for the park impact fees for this development. This document will be recorded at the Register of Deeds. The applicant shall be responsible for all recording fees.
88. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Secs. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the North Park-Infrastructure Impact Fee district. Please reference ID# 25077 when contacting Parks Division staff about this project.
89. No farming or use of lands to be dedicated to the public for Park purposes shall be allowed unless specifically approved by the Parks Superintendent and permitted under a farm lease administered through the City of Madison Office of Real Estate Services.
90. The developer shall provide soil borings within any lands to be dedicated as parkland.
91. The applicant shall prominently stake all boundaries and property irons for lands to be dedicated for park purposes.
92. The applicant shall install a fence along the boundary of lands dedicated for public park purposes and any residential lots at the sole expense of the Applicant. The fence shall be installed on private property to a design that is mutually agreeable to the applicant and Parks Division. The cost of the fence shall not be eligible for Park –Infrastructure Impact Fee credits. The applicant shall execute a deed restriction that would require the fence to be perpetually maintained by the property owners for any lots that are adjacent to publicly dedicated park lands.
93. The parkland dedication should meet the following guidelines for park development:

- a. No side slopes within the park dedication area shall exceed 4:1.
- b. The applicant shall provide proposed grading plans prior to approval of the area for dedicated public park lands.
- c. No proposed utilities will be allowed on public park land without prior approval by the Parks Superintendent or his designee.
- d. Areas that are wetlands shall not be dedicated as public parkland.

94. Once dedicated to the public, the developer shall not use park property for construction staging, stockpiling of material, or any other purpose.

Forestry Section (Contact Brad Hofmann, (608) 266-4908)

This agency did not submit comments for the preliminary plat.

Office of Real Estate Services (Contact Heidi Radlinger, (608) 266-6558)

This agency did not submit comments for the preliminary plat.

Appendix A: Tradition Residential–Planned District Requirements

The following excerpts summarize the requirements for residential development in the Traditional Residential-Planned (TR-P) District in Section 28.053 of the Zoning Code:

(1) Statement of Purpose. The TR-P District is established to encourage the development of new traditional neighborhoods in close-in or outlying parts of the City that incorporate the characteristics of existing traditional neighborhoods. Features include a variety of lot sizes and integrated housing types, detached or alley-loaded garages, traditional architectural features such as porches, an interconnected street system and the creation of a high-quality public realm.

A large-scale TR-P development will be designed through a master planning process. Where a TR-P District is developed in conjunction with or in proximity to an existing or planned mixed-use or higher-density district (for example, a Neighborhood Mixed-Use District, Traditional Shopping Street District, or Traditional Residential-Urban District) the TR-P District is also intended to meet the goals of traditional neighborhood development as established by the State of Wisconsin and Dane County. These goals include the following:

- a.) Reduce public costs by making more efficient use of infrastructure.
- b.) Protect the environment through reduced land consumption, preservation of on-site environmental features, and reduced automobile travel.
- c.) Increase public safety and welfare through street design that results in slower driver speeds and reduced accidents, injuries and fatalities.
- d.) Promote the reinvestment in existing developed areas.
- e.) Foster community through attractive streets and public spaces that create opportunities for encounters and gatherings.

(3) Required Mix of Residential Uses. After the effective date of this ordinance, development sites or projects within the TR-P District that are 10 acres or more in size or that include 50 or more dwelling units shall meet the following standards:

- a.) A minimum of 3 residential building types from the following categories shall be included within the site:
 1. Single-family detached dwellings with street-accessed garages.
 2. Single-family detached dwellings with alley-accessed garages.
 3. Two-family and single-family attached buildings.
 4. Accessory dwelling units.
 5. Multi-family dwellings (3 units or more), including senior housing.
 6. Special-needs housing such as community living arrangements and assisted living facilities.
- b.) A minimum of ten percent (10%) of the units on the site shall be in two-family, attached or multi-family residential dwelling types.
- c.) For infill development, the required mix of residential uses may be satisfied by existing adjacent residential uses within a one-quarter mile radius.
- d.) All residential lots shall be located within one-quarter mile of existing or planned public or common open space.

(4) Dimensional Standards, Permitted and Conditional Uses. [See table below for more information.]

(5) Site Design Standards.

- a.) Open Space. Open space shall be available to the residents of the district for recreational purposes or similar benefit. Land reserved for stormwater management and other required site improvements shall not be applied to this requirement, unless designed as open space that will meet resident needs.
 1. Open space shall be designed to meet the needs of residents of the district and the surrounding neighborhoods to the extent practicable for parks, playgrounds, playing fields, and other recreational facilities.
 2. A diversity of open spaces shall be provided within the TR-P district, including but not limited to community parks, neighborhood squares and commons, and playgrounds.
 3. Open spaces included with the subdivision shall be dispersed throughout the development and walkable from most areas within the subdivision.
 4. Land donated for any public purpose, which is accepted by the City, may be credited towards the open space requirement at the discretion of the Common Council.
- b.) Street Layout. A TR-P site development plan shall maintain the existing street grid where present and restore the street grid where it has been disrupted. In newly developing areas, streets shall be designed to maximize connectivity, except where environmental or physical constraints make this infeasible. All streets shall terminate at other streets, at public land, or at an environmentally sensitive area, except that local streets may terminate in stub streets when those will be connected to other streets in future phases of the development or adjacent developments.
- c.) Street Design. Flexibility in street design may be allowed within a TR-P District in order to create a safe and pleasant environment for residents, emphasizing pedestrian and bicycle circulation.
- d.) Non-Residential Uses. Non-residential land uses, including but not limited to schools, places of worship and neighborhood-serving commercial uses located within a subdivision zoned TR-P, shall be designed in a compact fashion and reflect the design of other uses within the master-planned development. Parking

for such uses shall be located in the side or rear yards and shall be well screened to preserve the continuity of the public realm.

(6) Submittal Requirements.

a.) After the effective date of this ordinance, a Master Plan shall be required for all TR-P projects that are proposed to be 10 acres or larger in size or those that will include 50 dwelling units or more. All TR-P Master Plans shall include each of the following elements:

1. A map of the proposed development that identifies all of the lots and outlots to be contained in the proposed development and which contains all of the information required for preliminary plats in Sec. 16.23(7)(a), MGO. The map shall identify each of the following items:
 - a. The use of each lot or outlot, including any spaces to be dedicated to the public.
 - b. The number of dwelling units to be provided on each lot.
 - c. The number of floors of all buildings to be constructed on a lot – minimum and maximum.
 - d. The orientation of buildings in relation to all streets.
 - e. The yards and building setbacks for each developable lot.
 - f. Stormwater management, including proposed treatments at the lot, block and subdivision level.
2. A phasing plan for the implementation of the master planned development.
3. Building design standards for the proposed development recorded in the covenants, conditions and restrictions for the subdivision, shall include:
 - a. Massing and composition of structures, orientation of windows and entries; doors and other elements of the facade, and primary facade materials and colors.
 - b. A process for the application of such building design standards, through an architectural review committee or similar review body.
4. A detailed letter of intent for the project that outlines the specific goals and objectives for the master planned development. Sec. 28.053(6)(b)

b.) Standards for Approval of Master Plans.

1. The proposed TR-P Master Plan shall be consistent with the recommendations of the Comprehensive Plan and any adopted neighborhood plan, including the objectives established for traditional neighborhood development in the Comprehensive Plan.
2. The proposed TR-P Master Plan shall contain a highly connective circulation pattern and shall be conducive to multiple forms of transportation.
3. The proposed master planned development shall include a variety of integrated residential dwelling unit types. Segregation of dwelling unit types shall be avoided.
4. The proposed TR-P Master Plan shall be consistent with the statement of purpose of this section.
5. The TR-P Master Plan shall also comply with all of the requirements for preliminary plats in MGO Section 16.23.

(7) Review Procedures. A Master Plan for a TR-P district will be reviewed as part of the zoning map amendment and subdivision plat.