



Department of Planning & Community & Economic Development

## Planning Division

Meagan E. Tuttle, Director  
Madison Municipal Building, Suite 017  
215 Martin Luther King, Jr. Blvd.  
P.O. Box 2985  
Madison, WI 53701-2985  
Phone: (608) 266-4635  
[planning@cityofmadison.com](mailto:planning@cityofmadison.com)

**\*\*BY E-MAIL ONLY\*\***

October 30, 2025

Joann Rubio  
Advenir Azora Development, LLC  
17501 Biscayne Boulevard #300  
Aventura, Florida 33160

RE: 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 (ID 89899 and 89767; LNDSP-2025-00007).

Dear Joann,

At its October 28, 2025 meeting, the Common Council **approved** the rezoning of 6303 Portage Road and 4821 Hoepker Road to TR-P, and **approved** the preliminary plat of *LEO Living* subject to the conditions of approval in the following sections, which shall be addressed prior to final approval and recording of a final plat of the subdivision.

**Please contact Brenda Stanley of the City Engineering Division at (608) 261-9127 if you have questions regarding the following thirty-six (36) items:**

1. 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](mailto:environmentalreview@cityofmadison.com)).
2. 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.
3. 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.
4. 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.

5. 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.
6. 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
7. 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.
8. 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.
9. 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.]
10. 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.
11. 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.
12. 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).

13. 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.
14. 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.
15. The developer shall construct Madison standard street, multi-use path, and sidewalk improvements for all streets within the plat or CSM.
16. 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.
17. 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.
18. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
19. 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."
20. 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.
21. An Erosion Control Permit is required for this project.
22. A Storm Water Management Report and Storm Water Management Permit are required for this project.
23. 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.

24. 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.
25. 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.
26. 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.
27. 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.
28. The developer shall construct 'Road A' all the way to the south plat boundary to a plan approved by the City Engineer.
29. Entrances to private streets/alleys shall be constructed as commercial driveway entrances. Final geometry will be determined by the City Traffic Engineer.
30. 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.
31. 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

32. 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](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto:daolivares@cityofmadison.com), for approval.
33. 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.
34. 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.
35. 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.
36. 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](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West).

**Please contact Jeffrey Quamme of the City Engineering Division–Mapping Section at (608) 266-4097 if you have any questions regarding the following twenty-one (21) items:**

37. 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.
38. 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.
39. 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](mailto:jrquamme@cityofmadison.com), 608-266- 4097) for the final required language on the final plat.
40. 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](mailto:jrquamme@cityofmadison.com), 608-266-4097) for the final required language on the final plat.
41. 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.
42. 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](mailto:jrquamme@cityofmadison.com), 608-266-4097) for easement language.

43. 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.
44. 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.
45. 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.
46. 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.
47. The final width of right of ways shall be as required by the Traffic Engineering Division.
48. 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.
49. 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.
50. All centralized USPS mailboxes shall be installed and maintained internally within the lots. None shall be accessed from a public right of way.
51. 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.
52. Clearly show the City of Madison Corporate Boundary on the preliminary plat.
53. 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.
54. 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.

55. 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.
56. Add text to the intermittent drainageway that it has been determined as non-navigable.
57. Provide a list of proposed street names to Lori Zenchenko (lzenchenko@cityofmadison.com) for review and approval.

**Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following eight (8) items:**

58. 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.
59. '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.
60. 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.]
61. 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.
62. 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.
63. 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).
64. 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.
65. 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.

**Please contact Trent W. Schultz of the Parking Division at (608) 246-5806 if you have any questions regarding the following item:**

66. 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.

**Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at (608) 266-4429 if you have any questions regarding the following four (4) items:**

67. Work with Zoning and Planning staff to finalize approval of the TR-P Master Plan for the proposed development.
68. 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.
69. Submit a phasing plan exhibit for the implementation of the master planned development.
70. Identify the typical building materials on the building floor plans and elevations.

**Please contact Matt Hamilton of the Madison Fire Department at (608) 266-4457 if you have any questions regarding the following two (2) items:**

71. 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.
72. 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

**Please contact Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have any questions regarding the following three (3) items:**

73. 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](mailto:awiederhoeft@madisonwater.org), or (608) 266-9121.

74. 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).
75. 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.

**Please contact Adam B. Kaniewski of the Parks Division at (608) 261-4281 if you have any questions regarding the following ten (10) items:**

76. 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.
77. 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.
78. 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.
79. 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.
80. 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.
81. The developer shall provide soil borings within any lands to be dedicated as parkland.
82. The applicant shall prominently stake all boundaries and property irons for lands to be dedicated for park purposes.
83. 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.

84. 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.

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

**Please contact my office at (608) 261-9632 if you have questions about the following nine (9) items:**

86. 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.

87. 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.

88. 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.

89. 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*.

90. 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.

91. 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.
92. 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.
93. 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.
94. 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..

**Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.**

Any appeal regarding the plat, including the conditions of approval related thereto, must be filed with the Circuit Court within thirty (30) days from the date of this letter. If I may be of any further assistance, please do not hesitate to contact me at (608) 261-9632 or [tparks@cityofmadison.com](mailto:tparks@cityofmadison.com).

Sincerely,

*Timothy M Parks*

Timothy M. Parks  
Planner