



Department of Planning & Community & Economic Development

Planning Division

Meagan Tuttle, Director

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October 13, 2025

Susan Bowersox
OPN Architects
301 N Broom Street, Suite 100
Madison Wisconsin 53703

RE: Consideration of a conditional use in the Traditional Residential-Consistent 4 (TR-C4) District for a school, public or private, and Consideration of a conditional use in the TR-C4 District for a building or structure exceeding 10,000 square feet in floor area – to allow construction of a new public school building (to replace the existing school building (Sherman Middle School and Shabazz City High School) at 1601 N Sherman Avenue and 1610 Ruskin Street. (LNDUSE-2025-00061; ID [89232](#))

Dear Susan,

On October 6, 2025, the Plan Commission found the standards met and **approved** your client's conditional use request for 1601 N Sherman Avenue and 1610 Ruskin Street subject to the conditions that follow. Prior to issuance of building permits for your project, the conditions of approval in the following sections shall be satisfied:

Please contact Brenda Stanley of the City Engineering Division at (608) 261-9127 if you have any questions regarding the following eighteen (18) items:

1. Redesign of the existing storm sewer that runs through the site is required, construction of the new system is the responsibility of the developer and new easements shall be granted to the City of Madison. The discharge from the site shall be limited in all events up to the capacity of the existing storm system to the S. The overflow from the site shall be discharged to the existing easement and existing homes to the South shall be protected. As built for all proposed stormwater facilities shall be required and shall be sealed by a WI PE prior to occupancy being granted. There is currently an enclosed depression at the intersection of Sherman and Spohn that overflows through this site along the existing storm sewer easement. This or a similar surface water overflow shall continue and be reflected on the plans. If this overflow takes a different route than the relocated pipe - easements shall be granted to the City for both the surface and subsurface storm water improvements.
2. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)

3. Construct sidewalk, terrace, curb, gutter, and pavement along Wheeler Road and Wyoming Way to a plan approved by the City Engineer.
4. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat/csm. (MGO 16.23(9)(d))
5. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering 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 signoff. (MGO 16.23(9)(d)(4))
6. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
7. Obtain a permit to plug each existing storm sewer. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 37.05(7))
8. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
9. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
10. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
11. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 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. Information on this permit application is available on line: <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>.

The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DPS) and no separate submittal to this agency or CARPC is required for this project to proceed.

12. Based on historical documents (BRRS # 03-13-001545 and BRRS # 09-13-593734) the property may contain residual contamination. If contamination is encountered, follow all WDNR and DPS regulations for proper handling and disposal.
13. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
14. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)

15. Include calculations in the stormwater management report that show how a 500-year storm event, as identified in Madison General Ordinance Chapter 37, would be handled by the proposed site design. These calculations are required to show that the proposed building does not flood during this design storm event using the site grades proposed.
16. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" 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.

Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances 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. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.

17. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances 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 at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: 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))

Rate Control New Development: Detain the 2, 5, 10, 100, & 200 - year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.

Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.

TSS New Development: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.

100-year Overflow: The applicant shall demonstrate that water can leave the site and reach the public ROW 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 BMP used to meet stormwater management requirements on this project.

18. 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).

Please contact Jeff Quamme of the City Engineering Division–Mapping Section, at (608) 266-4097 if you have questions regarding the following nine (9) items:

19. Per Title work provided for the pending Certified Survey Map, the 40' wide Lot 26, Block 9 First Addition to Clyde A. Gallagher's Sherman Avenue Subdivision is not currently owned by the School District, but is owned by the City of Madison. Remove this lot from the boundary of the school property on the site plans. Alternatively, if the Applicant is interested in ownership of this lot they shall work with City of Madison Engineering, Real Estate and Economic Development Division for any acquisition of the lands and inclusion within the pending Certified Survey Map.
20. Grant the necessary Public Sanitary Sewer Easements, Public Water Main Easements and Public Storm Sewer Easements through this site as required to accommodate the public facilities owned by the City of Madison on the pending Certified Survey Map. The easements shall include consent to occupy easement terms stating the owner shall be responsible for the maintenance, replacement and reconstruction with associated costs of the proposed private pavements, parking areas, sidewalks, private storm sewers, landscaping, retaining walls and any other City Engineer approved private improvements lying within the easement areas that may be damaged, disturbed or removed by the City of Madison in exercising its Easement Rights for construction, maintenance or replacement. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) for the final required easement language.
21. Grant a Public Storm Water Surface Drainage Easement(s) City on the face of the pending Certified Survey Map defining the overland overflow route through this site for storm water from the enclosed depression at the intersection of Spohn Ave and Ruskin Street. Show and label the overflow route on the grading and site plans.
22. The Easement for Public Storm Sewer Purposes per Document No 4038810 shall be released by separate document prepared by City Office of Real Estate Services upon the removal / abandonment of the existing public storm sewer. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266- 4097) to coordinate the Real Estate project, and associated information and fees required. The pending CSM shall note the easement to be released by a separately recorded instrument. Remove from any site plan sheets where this easement is shown to extend south over Lot 26, Block 9 that fronts on Boyd Ave.

23. Clearly show and label the 16.5' wide areas reserved for future public highway purposes per Doc No's 497381 and 497382 along N Sherman Ave on the site plans.
24. Note: A previous survey by CSE, Surveyor Michael Berry on Feb 22, 2023 indicates a fiber optic line generally along the Sherman Ave Right of way line. Applicant shall confirm if there is fiber or not in that area and show accordingly on the site plans.
25. The demolition plan shall note the initial phase of demolition in order to accommodate the construction of the new building while the existing school remains occupied.
26. The addresses for the proposed high school/middle school are 1437 N Sherman Ave & 1522 Ruskin St. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
27. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or early start.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following fifteen (15) items:

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| <ol style="list-style-type: none">28. Applicant shall submit for review a student drop off and pickup plan. This plan shall include the number of students, estimated modes of arrival by percentage, estimated arrival times and any requested passenger loading zones.29. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a minimum five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance, where applicable, along their site's frontage of Sherman Avenue.30. The applicant shall be financially responsible for the relocation of the existing Rapid Rectangular Flashing Beacon (RRFB) crossing from the Farragut/Sherman intersection to the North leg Logan/Sherman intersection. This work will include constructing pedestrian ramps and installing a continental crosswalk |
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31. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.

32. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
33. The City Traffic Engineer may require public signing, marking and street lighting related to the development; the Developer shall be financially responsible for such signing, marking and street lighting.
34. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
35. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
36. One way operation of the site shall be secured by placing a "One Way" sign at the entrance and a "Do Not Enter" sign at the Exit.
37. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
38. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
39. Applicant shall submit for review a Waste Removal Plan. This shall include vehicular turning movements, times, vehicle size, use of loading zones and all related steps to remove trash from its location.
40. Include a parking plan demonstrating how specific stalls, to be used by the school site, will be reserved. Include any signage to be used to achieve this goal in the submitted plans.
41. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
42. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

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

43. A Transportation Demand Management (TDM) Plan is required for the project, per MGO 16.03. The applicant shall submit a TDM Plan to tdm@cityofmadison.com. Applicable fees will be assessed after the TDM Plan is reviewed by staff.

Please contact Jacob Moskowitz of the Zoning Division at (608) 266-4560 if you have any questions regarding the following three (3) items:

44. Show the height of the proposed building on the elevations. The maximum height is 35 ft. Height is the average of the height of all building facades. For each facade, height is measured from the midpoint of the existing grade to the highest point on the roof of the building or structure. No individual facade shall be more than fifteen percent (15%) higher than the maximum height of the zoning district. Height shall be measured from the natural grade prior to redevelopment.
45. A vehicle parking reduction will be required per Section 28.141(5). Submit a request for a parking reduction with the final plan submittal including information to support the argument for reducing the required number of spaces. As the commercial tenant spaces are leased, the entire development must reflect compliance in the required amount, type and number of vehicle parking spaces, to be reviewed prior to obtaining zoning approval for each future tenant space use. Future parking reductions may be required prior to obtaining zoning approval for future tenant uses.
46. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.

Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following four (4) items:

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| <p>47. Update the utility plan to indicate the size of the proposed water service.</p> <p>48. This property is in a Wellhead Protection District–Zone (WP-7). Applicant shall provide the Madison Water Utility with confirmation that no hazardous and/or toxic materials will be stored on site, and that all proposed uses of this site comply with the City of Madison Wellhead Protection Ordinance. Any future change in use for this property will require review by the Madison Water Utility General Manager or his designated representative. Contact Sarah Scroggins at Sscroggins@madisonwater.org for additional information, including a summary of the submittal requirements.</p> <p>49. Note, the existing water main that runs through this parcel is 6 inch.</p> |
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50. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Please contact Tim Sobota of Metro Transit at (608) 261-4289 if you have any questions regarding the following six (6) items:

51. As identified on plans submitted for review and in coordination with any public works improvements, the applicant shall install and maintain an accessible bus boarding pad - as shown in the public right-of-way - at the planned Metro bus stop zone that is on the east side of North Sherman Avenue, north of Logan Street.
 52. As identified on the plans submitted for review, the applicant shall install and maintain a new passenger seating amenity across the sidewalk from the planned bus stop zone - either as part of the private landscape plan or in the public right-of-way area. If located in the public right-of-way, the applicant should be aware of the requirements set forth in MGO 10.31, as well as the timelines necessary to submit a Privilege in Streets (Bus Bench) application and should contact the City's Office of Real Estate Services for information and assistance with the Privilege in Streets application process. An approved Encroachment Agreement, for the bus stop amenity, shall be executed prior to sign off - if located in the public right-of-way.
 53. As identified on plans submitted for review, Metro Transit acknowledges the identification of the existing accessible terrace on the west side of North Sherman Avenue, south of Logan Street, as a planned bus stop zone.
 54. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.
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55. Metro Transit operates daily all-day transit service along North Sherman Avenue thru the Logan Street intersection adjacent this property - with trips at least every 60 minutes (every 30 minutes or less during the day on weekdays). Metro Transit operates additional daily all-day rapid transit service along Packers Avenue near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays).
 56. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 110 Weekday & 77 Weekend. Please contact Metro Transit if additional analysis would be of interest.

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

Please now follow the procedures listed below for obtaining permits for your project:

1. The applicant shall resubmit a PDF copy of the plan set and any other supporting materials that are necessary, as specified in this letter to sprapplications@cityofmadison.com. (Note: A 20MB email limit applies and multiple transmittals may be required.). A check for the **site plan review fee** shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.

2. City Agencies who submitted conditions of approval will review your revised plans to verify that their conditions, along with any applicable requirements, have been satisfied. When the revised plans are submitted, the applicant will be emailed a hyperlink to a website to follow, in real time, which agencies have reviewed the revised documents, and signed off or need additional information.
3. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]
4. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards.
5. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at (608) 266-4551. If you have any other questions or if may be of any further assistance, please do not hesitate to contact my office at cwells@cityofmadison.com or (608) 261-9135.

Sincerely,



Chris Wells
Planner

cc: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division–
Mapping Section
Sean Malloy, Traffic Engineering Division
Trent Schultz, Parking
Jacob Moskowitz, Zoning Administrator
Jeff Belshaw, Madison Water Utility
Tim Sobota, Metro Transit

I hereby acknowledge that I understand and will comply with the above conditions of approval for this project.

Signature of Applicant

*Signature of Property Owner
(If Not Applicant)*

LNDUSE-2025-00061			
For Official Use Only, Re: Final Plan Routing			
☒	Planning Div. (Wells)	☒	Engineering Mapping Sec.
☒	Zoning Administrator	☐	Parks Division
☒	City Engineering	☒	Urban Design Commission
☒	Traffic Engineering	☐	Recycling Coord. (R&R)
☒	Fire Department	☒	Water Utility
☒	Metro Transit	☐	Forestry
☒	Parking	☐	