



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Master

**File Number: 09342**

**File ID:** 09342

**File Type:** Ordinance

**Status:** Recessed Public Hearing

**Version:** 2

**Reference:**

**Controlling Body:** PLAN COMMISSION

**Lead Referral:** PLAN COMMISSION

**File Created Date :** 02/26/2008

**File Name:** Rezoning 7197 Elderberry Road

**Final Action:**

**Title:** SUBSTITUTE - Creating Section 28.06(2)(a)3343. of the Madison General Ordinances rezoning property from Temp A Agriculture to R2T Single-Family Residence District and creating Section 28.06(2)(a)3344. of the Madison General Ordinances rezoning property from Temp A Agriculture to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Demolish 2 Houses and Plat 105 Residential Lots; 9th Aldermanic District: 7197 Elderberry Road.

**Notes:** 4329elderberrySUB

**CC Agenda Date:** 04/22/2008

**Agenda Number:** 8.

**Sponsors:** Common Council By Petition

**Enactment Date:**

**Attachments:** 4329elderberry.pdf

**Enactment Number:**

**Author:** Katherine Noonan

**Hearing Date:**

**Entered by:** dalthaus@cityofmadison.com

**Published Date:**

### Approval History

Version	Date	Approver	Action
1	02/26/2008	Michael May	Approved as to Form
1	02/27/2008	Eric Knepp	Approve
2	03/25/2008	Michael May	Approved as to Form

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office/Approval Group	02/26/2008	Referred for Introduction				
	<b>Action Text:</b>	This Ordinance was Referred for Introduction					

**Notes:** Plan Commission; Public Hearing Dates: Plan Commission, 4/7/08; Common Council 4/22/08

1 COMMON COUNCIL 03/04/2008 Refer For Public Hearing PLAN COMMISSION 04/22/2008

**Action Text:** This Ordinance was Refer For Public Hearing to the PLAN COMMISSION, due back on 4/22/2008

**Notes:** Due back at the 4/22/08 Common Council Meeting.

2 PLAN COMMISSION 04/07/2008 RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING PLAN COMMISSION 05/05/2008 Pass

**Action Text:** A motion was made by Olson, seconded by Gruber, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION, due back on 5/5/2008. The motion passed by voice vote/other.

**Notes:** Referred at the request of the applicant.

2 COMMON COUNCIL 04/22/2008 Rerefer for Recessed Public Hearing PLAN COMMISSION Pass

**Action Text:** A motion was made by Ald. Verveer, seconded by Ald. Rhodes Conway, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

**Notes:**

2 PLAN COMMISSION 05/05/2008

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**Text of Legislative File 09342**

**Fiscal Note**

No appropriation is required to approve this rezoning.

**Title**

SUBSTITUTE - Creating Section 28.06(2)(a)3343. of the Madison General Ordinances rezoning property from Temp A Agriculture to R2T Single-Family Residence District and creating Section 28.06(2)(a)3344. of the Madison General Ordinances rezoning property from Temp A Agriculture to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Demolish 2 Houses and Plat 105 Residential Lots; 9th Aldermanic District: 7197 Elderberry Road.

**Body**

DRAFTER'S ANALYSIS: 7197 Elderberry Road 9305-9347 Elderberry Rd.

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The Common Council of the City of Madison do hereby ordain as follows:

1. Paragraph 3343. of Subdivision (a) of Subsection (2) of Section 28.06 of the Madison General Ordinances is hereby created to read as follows:

"28.06(2)(a)3343. The following described property is hereby omitted from the Temp A Temporary Agriculture District and added to the R2T Single-Family Residence District: Being a part of the NW ¼ of the SE ¼ and the NE ¼ of the SW ¼ of Section 21, T7N, R8E, City of Madison, Dane County, Wisconsin, described as follows:

Commencing at the east quarter corner of said Section 21; thence S89°42'40"W along the north line of the SE ¼ of said Section 21, 2,570.26 feet to the center quarter corner of said Section 21; thence S89°42'50"W along the north line of the SW ¼ of said Section 21, 32.53 feet; thence S01°14'47"W along the west line of Lot 1, Certified Survey Map, No. 3232 and the northerly extension thereof, 411.83 feet to the southwest corner of said Lot 1 and the point of beginning; thence N01°14'47"E along the west line of said Lot 1, 58.84 feet; thence N89°42'40"E, 120.56 feet; thence southeasterly along a 15.00 foot radius curve to the right having a central angle of 91°54'20" and whose long chord bears S44°20'10"E, 21.56 feet; thence S01°37'00"W, 207.83 feet; thence S00°05'50"E, 346.52 feet; thence southwesterly along a 15.00 radius curve to the right having a central angle of 80°07'30" and whose long chord bears S39°57'55"W, 19.31 feet; thence S80°01'40"W, 107.14 feet; thence southwesterly along a 25.00 foot radius curve to the right having a central angle of 09°46'50" and whose long chord bears S84°55'05"W, 4.26 feet to a point in the west line of the SE ¼ of said Section 21; thence N01°55'07"E along the west line of the SE ¼ of said Section 21, 543.70 feet to a point in the south line of Lot 1, Certified Survey Map, No. 3232; thence N88°45'47"W along the south line of said Lot 1, 27.67 feet to the point of beginning;

Along with lands commencing at the east quarter corner of said Section 21; thence S89°42'40"W along the north line of the SE ¼ of said Section 21, 1,285.13 feet to the northeast corner of the NW ¼ of the SE ¼ of said Section 21; thence S01°23'29"W along the east line of the NW ¼ of the SE ¼ of said Section 21, 40.01 feet to the point of beginning; thence continuing S01°23'29"W along the east line of the NW ¼ of the SE ¼ of said Section 21, 895.03 feet; thence S89°47'24"W, 381.08 feet; thence North 115.00 feet; thence S89°47'24"W, 90.00 feet; thence North 233.03 feet; thence N01°37'00"E, 118.17 feet; thence N89°42'40"E, 90.04 feet; thence N01°37'00"E, 115.06 feet; thence N89°42'40"E, 388.58 feet to a point in the east line of the NW ¼ of the SE ¼ of said Section 21; thence N01°23'29"E along the east line of the NW ¼ of the SE ¼ of said Section 21, 60.03 feet; thence S89°42'40"W, 388.34 feet; thence N01°37'00"E, 253.00 feet; thence S89°42'40"W, 240.08 feet; thence S01°37'00"W, 253.00 feet; thence S89°42'40"W, 402.00 feet; thence N01°37'00"E, 253.00 feet; thence N89°42'40"East, 1,029.43 feet to the point of beginning;

Along with lands commencing at the east quarter corner of said Section 21; thence S89°42'40"W along the north line of the SE ¼ of said Section 21, 2,570.26 feet to the center

quarter corner of said Section 21; thence S89°42'50"W along the north line of the SW ¼ of said Section 21, 32.53 feet; thence S01°14'47"W along the west line of Lot 1, Certified Survey Map, No. 3232 and the northerly extension thereof, 352.99 feet; thence N89°42'40"E, 210.61 feet to the point of beginning; thence continuing N89°42'40"E, 551.98 feet; thence southeasterly along a 15.00 foot radius curve to the right having a central angle of 91°54'20" and whose long chord bears S44°20'10"E, 21.56 feet; thence S01°37'00"W, 214.75 feet; thence S00°01'27"W, 121.58 feet; thence South 214.39 feet; thence southwesterly along a 15.00 foot radius curve to the right having a central angle of 89°47'24" and whose long chord bears S44°53'42"W, 21.17 feet; thence S89°47'24"W, 551.20 feet; thence northwesterly along a 15.00 foot radius curve to the right having a central angle of 90°06'46" and whose long chord bears N45°09'13"W, 21.23 feet; thence N00°05'50"W, 95.56 feet; thence N89°45'00"E, 581.37 feet; thence North 23.00 feet; thence S89°45'00"W, 581.41 feet; thence N00°05'50"W, 95.69 feet; thence northeasterly along a 15.00 foot radius curve to the right having a central angle of 89°52'20" and whose long chord bears N44°50'20"E, 21.19 feet; thence N89°46'30"E, 551.57 feet; thence southeasterly along a 15.00 foot radius curve to the right having a central angle of 90°13'30" and whose long chord bears S45°06'45"E, 21.25 feet; thence N00°01'27"E, 121.58 feet; thence southwesterly along a 15.00 foot radius curve to the right having a central angle of 88°09'30" and whose long chord bears S45°41'45"W, 20.87 feet; thence S89°46'30"W, 551.96 feet; thence northwesterly along a 15.00 foot radius curve to the right having a central angle of 91°50'30" and whose long chord bears N44°18'15"W, 21.55 feet; thence N01°37'00"E, 95.24 feet; thence N89°43'40"E, 581.99 feet; thence N01°37'00"E, 23.01 feet; thence S89°43'40"W, 581.99 feet; thence N01°37'00"E, 95.88 feet; thence northeasterly along a 15.00 foot radius curve to the right having a central angle of 88°05'40" and whose long chord bears N45°39'50"E, 20.86 feet to the point of beginning. This parcel contains 17.89 acres, more or less."

2. Paragraph 3344. of Subdivision (a) of Subsection (2) of Section 28.06 of the Madison General Ordinances is hereby created to read as follows:

"28.06(2)(a)3344. The following described property is hereby omitted from the Temp A Temporary Agriculture District and added to the PUD(GDP) Planned Unit Development (General Development Plan) District:

Located in the Southeast Quarter of the Northeast Quarter of Section 27, T7N, R10E, City of Madison, Dane County, Wisconsin, more fully described as follows:

Being a part of the NW ¼ of the SE ¼ and the NE ¼ of the SW ¼ of Section 21, T7N, Range 8E, City of Madison, Dane County, Wisconsin, described as follows:

Commencing at the east quarter corner of said Section 21; thence S89°42'40"W along the north line of the SE ¼ of said Section 21, 2,570.26 feet to the center quarter corner of said Section 21; thence S89°42'50"W along the north line of the SW ¼ of said Section 21, 32.53 feet; thence S01°14'47"W, 40.01 feet to the point of beginning; thence N89°42'50"E, 33.60 feet; thence N89°42'40"E, 254.52 feet; thence S01°37'00"W, 253.00 feet; thence S89°42'40"W, 74.49 feet; thence northwesterly along a 15.00 foot radius curve to the right having a central angle of 91°54'20" and whose long chord bears N44°20'10"W, 21.56 feet; thence N01°37'00"E, 213.31 feet; thence northeasterly along a 25.00 foot radius curve to the right having a central angle of 88°05'40" and whose long chord bears N45°39'50"E, 34.76 feet; thence S89°42'40"W, 110.06 feet; thence southeasterly along a 25.00 foot radius curve to the right having a central angle of 91°54'20" and whose long chord bears S44°20'10"E, 35.94 feet; thence S01°37'00"W, 212.65 feet; thence southwesterly along a 15.00 foot radius curve to the right having a central angle of 88°05'40" and whose long chord bears S45°39'50"W, 20.86 feet; thence S89°42'40"W, 121.94 feet to a point in the west line of Lot 1, Certified Survey Map, No. 3232; thence N01°14'47"E along the west line of said Lot 1, 252.96 feet to the point of beginning;

Along with lands commencing at the east quarter corner of said Section 21; thence S89°42'40"W along the north line of the SE ¼ of said Section 21, 1,285.13 feet to the northeast corner of the NW ¼ of the SE ¼ of said Section 21; thence S01°23'29"W along the east line of the NW ¼ of the SE ¼ of said Section 21, 40.01 feet; thence S89°42'40"W, 387.35 feet to the

point of beginning; thence S01°37'00"W, 428.10 feet; thence S89°42'40"W, 90.04 feet; thence N01°37'00"E, 100.55 feet; thence northeasterly along a 15.00 foot radius curve to the right having a central angle of 88°05'40" and whose long chord bears N45°39'50"E, 20.86 feet; thence N89°42'40"E, 75.54 feet; thence N01°37'00"E, 60.04 feet; thence S89°42'40"W, 74.55 feet; thence northwesterly along a 15.00 foot radius curve to the right having a central angle of 91°54'20" and whose long chord bears N44°20'10"W, 21.56 feet; thence N01°37'00"E, 213.32 feet; thence northeasterly along a 25.00 foot radius curve to the right having a central angle of 88°05'40" and whose long chord bears N45°39'50"E, 34.76 feet; thence S89°42'40"W, 110.06 feet; thence southeasterly along a 25.00 foot radius curve to the right having a central angle of 91°54'20" and whose long chord bears S44°20'10"E, 35.94 feet; thence S01°37'00"W, 212.65 feet; thence southwesterly along a 15.00 foot radius curve to the right having a central angle of 88°05'40" and whose long chord bears S45°39'50"W, 20.86 feet; thence S89°42'40"W, 75.49 feet; thence N01°37'00"E, 253.00 feet; thence N89°42'40"E, 240.08 feet to the point of beginning.

Along with lands commencing at the east quarter corner of said Section 21; thence S89°42'40"W along the north line of the SE ¼ of said Section 21, 1,285.13 feet to the northeast corner of the NW ¼ of the SE ¼ of said Section 21; thence S01°23'29"W along the east line of the NW ¼ of the SE ¼ of said Section 21, 995.06 feet to the point of beginning; thence continuing S01°23'29"W along the east line of the NW ¼ of the SE ¼ of said Section 21, 285.12 feet; thence S89°47'24"W, 1,172.27 feet; thence northwesterly along a 100.00 foot radius curve to the right having a central angle of 90°12'36" and whose long chord bears N45°06'18"W, 141.68 feet; thence North, 34.34 feet; thence northwesterly along a 580.00 foot radius curve to the left having a central angle of 10°04'30" and whose long chord bears N05°02'15"W, 101.86 feet; thence northeasterly along a 25.00 foot radius curve to the right having a central angle of 90°06'10" and whose long chord bears N34°58'35"E, 35.39 feet; thence N80°01'40"E, 113.91 feet; thence northeasterly along a 39.00 foot radius curve to the right having a central angle of 09°45'44" and whose long chord bears N84°54'32"E, 6.64 feet; thence N89°47'24"E, 604.74 feet; thence southeasterly along a 15.00 foot radius curve to the right having a central angle of 90°12'36" and whose long chord bears S45°06'18"E, 21.25 feet; thence South 240.06 feet; thence southwesterly along a 30.00 foot radius curve to the right having a central angle of 89°47'24" and whose long chord bears S44°53'42"W, 42.35 feet; thence N89°47'24"E, 120.00 feet; thence northwesterly along a 30.00 foot radius curve to the right having a central angle of 90°12'36" and whose long chord bears N45°06'18"W, 42.50 feet; thence North 429.90 feet; thence N89°47'24"E, 90.00 feet; thence South 115.00 feet; thence S89°47'24"W, 74.94 feet; thence northwesterly along a 15.00 foot radius curve to the right having a central angle of 90°12'36" and whose long chord bears N45°06'18"W, 21.25 feet; thence South 90.00 feet; thence northeasterly along a 15.00 foot radius curve to the right having a central angle of 89°47'24" and whose long chord bears N44°53'42"E, 21.17 feet; thence N89°47'24"E, 454.68 feet to the point of beginning. This parcel contains 10.69 acres, more or less."

