

October 6, 2025

TO: Madison Plan Commission
FROM: Marsha Cannon, 5 Cherokee Cir. - #202, Madison, WI 53704 (D18)
RE: October 6, Agenda Item #3
Legistar #89766, Approving the final plat of Raemisch Farm (District 18)

I urge the Plan Commission to deny the current request for final plat.

1. Why is Plan Commission being asked to recommend approval of a “final” plat for just 20.8 acres carved out of an approved preliminary plat on 63.6 acres?

The final plat request fails to meet MGO 6.23(4)(c)1 requiring a phasing plan to be included with the preliminary plat. It is unfortunate the developers failed to include a phasing plan in their preliminary plat, but that is what Common Council approved in 2022. The public expected the full plan to be submitted for final approval.

2. Is the 20.8-acre “final plat” the only acreage under contract for developers to purchase? Or is it the entire 63.6 acres?
3. What happens to the 42.8 unplatted acres that received Council approval 3 years ago?

Please see the following 2 pages with details about the 2022 preliminary plat and the current request for final plat.

On Sept. 6, 2022 Joel Oliver enthusiastically presented the 4th version of the Raemisch Farm Development preliminary plat **with no phasing plan**. Common Council approved the plat.



September 6, 2022
Common Council

4000 PACKERS
MADISON, WISCONSIN
MIXED-USE DEVELOPMENT



Joel Oliver

Managing Director of Development

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Based on these Positive Features

- 3.5 acres - school forest addition
- 8 acres – urban agriculture
- 1.5 acres green space/park
- Smaller lots; less costly
- Townhomes not on Sherman
- Written commitment on sound
- Commercial opportunities
- See Legistar 72365;
[CC RF 9.6.22 Green Street.pdf](#),



Modified Single Family Lots

- Altered the proposed zoning class and lot sizes so that new homes are consistent with surrounding neighborhoods

Modified Town House Plan

- Removed from Sherman frontage
- Altered zoning class and lot size per community feedback
- Increased diversity of housing choices

Sound Concern

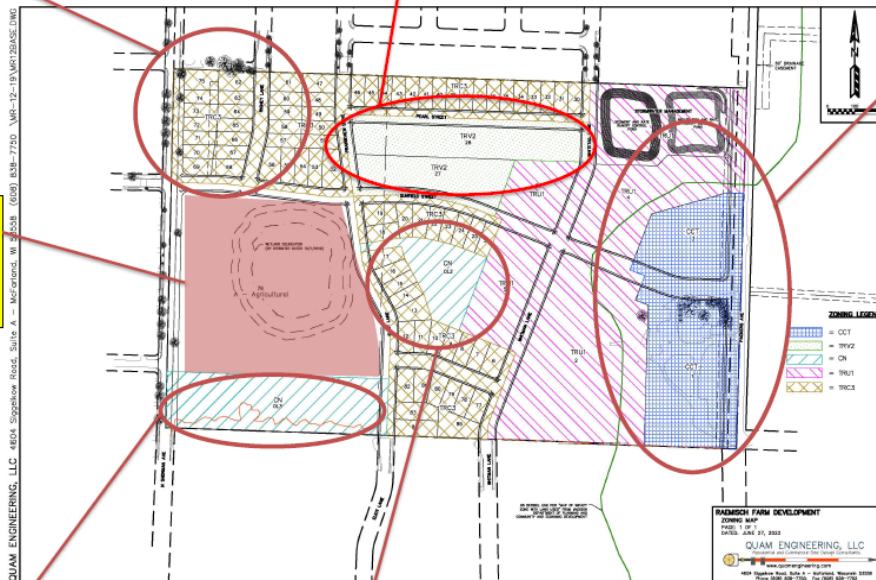
- Residential removed
- Notes on plat
 - No residential through 2027
 - Added noise mitigation measures
- Added condition to evaluate sound mitigation in apartments outside 65 db area

- **NEW!!!!** Memo on record around commitment towards sounds attenuation.

NEW!!!

Agricultural space

- Maintaining over 10 acres (8 farmable) for small local farmers



School Forest

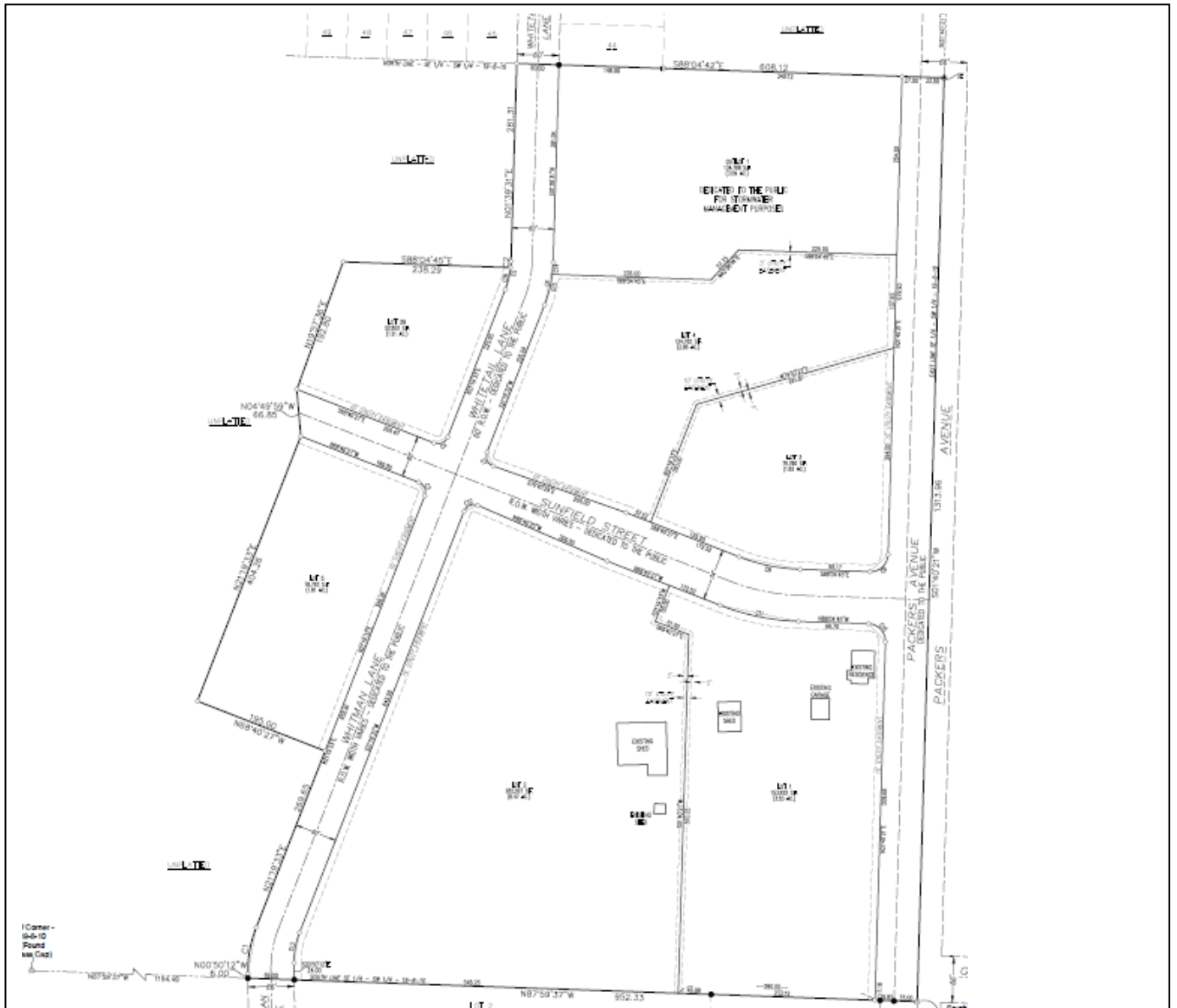
- Previously was a small easement
- Now ~5% (3.5 acres) of the site is being deeded to parks/schools

New Park/Green Space

- Additional green space via privately maintained park

- On Sept. 6, 2022, the preliminary plat clock began ticking. Developers had 36 months to submit a final plat proposal. Instead, they chose to bring forth a **partial** plat proposal, covering the area marked with pink-colored diagonals on the Southeast corner of the approved plat.

- If the 20.8-acre final plat is approved—without a phasing plan in the approved plat—the positive features that garnered Council votes in 2022 go into limbo. The community could lose: 3.5 acres - school forest addition, 8 acres – urban agriculture, 1.5 acres green space/park, smaller lots for single-family and townhomes, and commitment on airport sound attenuation.



Partial plat submitted Aug. 22, 2025 by:

- **Halo Ventures LLC** of St. Louis, MO –by Joel Oliver, formerly of Green Street St. Louis.
- **Lokre** (presumably Lokre Development Company of Wausau, WI—former partner with Madison developer Marty Rifken in two previous proposals to develop Raemisch Farm)

Summary

Council eventually approved the preliminary plat of 63.3 acres due to changes made by the then subdivider: adding agricultural land for urban agriculture; an expanded park/school forest; and, a commitment to sound mitigation. The proposed final plat of 20.8 acres, Phase 1, does not address any of these commitments, rather it just covers the money-making section of the preliminary plat. If the final plat is approved as submitted, it is likely none of the reasons for Council approval will be realized. Or, if realized, it will not be until some far off future date.

It is possible, at this time, to realize two of the reasons. The park and urban agriculture can be platted in the final plat. A condition of approval for this proposed final plat is that the entire Raemisch Farm be platted, and the areas outside of Phase 1 would be platted as a single outlot. The park/school forest and the urban agriculture land could be platted rather than including those lands in a gigantic 43 acre outlot.

This proposed final plat only accomplishes one goal of the neighborhood plan, that being greater density. It does not promote diversity of buildings and uses (the single family and smaller multi-family are not included in the final plat), sustainable neighborhood design, creating new street and path connections with the surrounding community (Sunfield Street would just be a stub of a street), or preservation of open space. Platting of the park/school forest and agricultural land would allow at least two more goals to be accomplished.

Council's approval of the preliminary plat

Since 2020 when the Raemisch Farm was attached to Madison from the Town of Burke, there have been four preliminary plats submitted for approval. The first three were denied.

The reasons why Council approved the 4th preliminary plat in September 2022, after having denied the 3rd preliminary plat in February 2022, are important. Those reasons were:

1. Lot 76 of the approved plat, the lot including the delineated wetlands, was expanded from 5 acres to 10.2 acres in order to provide for urban agriculture. (21 homes were eliminated.)
2. The applicant made a written commitment to sound mitigation. As staff explained to Council: "Within their multi-family developments they've committed, in writing, to pursue the noise mitigation measures on the eastern portions of the buildings and the rooftops to try to mitigate the sound from the airport." The applicant's presentation to Council stated: "Added condition to evaluate sound mitigation in apartments outside 65 db area."
3. Outlot 3 of the approved plan was expanded from 1 acre to 3.5 acres. (As noted in the staff report for the plat denied in February "subsequent discussions between the applicant and Parks Division have resulted in the decision to dedicate the lot [lot 106] for park space as well.")

Council approved the preliminary plat based on these compromises. As discussed by many at Council, Green Street responded to concerns and made changes, providing community benefits

not usually seen. One Alder even said we shouldn't look a gift horse in the mouth. For a fuller overview of the Council meeting, see Attachment A.

This final plat only addresses Phase 1 of the development, 20.8 acres of the 63.6 acre preliminary plat. No mention has been made of when the rest of the site will be platted, despite MGO 6.23(4)(c)1. requiring a phasing plan to be included with the preliminary plat.

Staff has said Raemisch Farm could hold up to 1,300 units. The land not being platted in this proposed final plat could hold up to 146 housing units of TR-C3 and TR-V2 housing. That means Phase 1 could hold up to 1,154 housing units – or 89% of the potential housing. In other words, the proposed final plat addresses the money-making part of the development.

What will happen to the compromises the developer made to get the preliminary plat approved? The sound mitigation promise has not been addressed by Halo/Lokre – that commitment was made by the developer submitting the preliminary plat (Green Street). Nor has the almost 14 acres on the western edge of the site dedicated to the public for park (school forest) and urban agriculture been addressed by Halo/Lokre. Perhaps Halo/Lokre will sell off the remaining 43 acres and that new developer will claim they need to maximize housing and will not be honoring the preliminary plat (except for the approximate 3 acres required for the wetland). Approval condition #28, listed in the staff report for this submitted final plat, recognizes that a subsequent approved preliminary plat or CSM could override the existing preliminary plat. Such a result would not honor the Council's September 2022 decision to approve the preliminary plat based on the changes made by Green Street.

Wis. Stats. 236.13(2)(am)1.b. provides: "The subdivider may construct the project in such phases *as the governing body of the town or municipality approves*, which approval may not be unreasonably withheld." (emphasis added) It is not unreasonable for the City to require Outlot 3, the park/school forest, to be platted and dedicated at this time, nor is it unreasonable for Lot 76, the urban agriculture land, to be platted. Approval conditions #1 and #28 require all unplatted land to be combined into an outlot. Rather than combining Outlot 3 and Lot 76 into a 43 acre outlot, those two lots could be platted. It takes no work for Halo/Lokre to plat these two lots, they will not be doing any work on the lots, and it ensures that acreage will be used in accordance with the policies approved by Council.

Phase 1 is expected to be completed in 9/2028. That is 3 years from now, and future phase(s) will extend even longer. That is a long time for the public wait for the acreage promised for public purposes, assuming that time ever arrives.

Conformance with the preliminary plat

As noted in approval condition #47, the final plat does *not* conform to the preliminary plat with respect to the width of Sunfield Street (only 74 feet instead of 80 feet).

The preliminary plat had 11 notes, there are 0 notes on the final plat. (Other final plats have continued included the notes from the preliminary plat.) Approval condition #28 requires creation of a note prohibiting development on the 43 acre outlot. Approval condition #32 requires a note on public utility easements. Approval condition #49 requires a note addressing

driveways. Approval condition #51 requires a note addressing impact fees to be included on the final plat.

One might ask how many changes can be required to a final plat before that plat needs to be resubmitted as a revised final plat.

The discussion above regarding why Council approved this preliminary plat in September 2022 may, or may not, reflect that the final plat is not in conformance with the preliminary plat. Certainly Council took these commitments into account when making its decision. However, the written commitment to sound mitigation is not part of the record, and Lot 76, the agricultural land, merely has the lot number on the preliminary plat. Unfortunately, unlike many/most applications for a preliminary plat and rezoning, there is not a disposition/approval letter – at least none in Legistar. Thus, the question is one of whether the commitments made by Green Street, as represented by Joel Oliver, and as understood by Council, are deemed conditions of approval.

Conformance with ordinances.

Dedication of park land versus impact fees.

Approval condition #50 states Park Impact Fees and Park-Land Fees will be required for all new residential development associated with this project. Approval condition #54 states there may be a park impact fee credit when Outlot 3 (the expanded school forest of 3.5 acres) is dedicated.

A payment in lieu of land dedication is *only* permitted if: (1) the site is too small (not an issue, 43 acres of the preliminary plat are not included in this final plat – there is certainly plenty of land); (2) the Comprehensive Plan calls open space to be located elsewhere (not an issue, the Comprehensive Plan designates the westerly land south of Sunfield Street as “Parks and Open Space”); or, (3) the Park Superintendent or Board of Park Commissioners says sites would otherwise not be suitable (not an issue as Parks signed off on the preliminary plat). It is feasible for Halo/Lokre to provide and dedicate adequate land for the park and recreation needs of the 1,154 units that could be constructed on this final plat. See the following ordinance sections:

MGO 16.23(6)(f)3. “Within the corporate limits of the City, where feasible and compatible with the comprehensive plan or neighborhood or sub-area plan, the subdivider shall provide and dedicate to the public adequate land to provide for the park and recreation needs of the subdivision or land division.”

MGO 16.23(6)(f)6. “In the event that dedication would result in sites too small to be usable, or if the comprehensive plan calls for such public sites or open spaces to be located elsewhere, or if such sites would not otherwise be suitable as determined by the Plan Commission, after recommendation of the Park Superintendent or Board of Park Commissioners, a payment of a fee in lieu of land dedication shall be required.”

Not even the 1.5 acre private park, which abuts one on the lots in the proposed final plat, is being developed. And whether this park will ever be developed is in question since the final plat does not contain a note, which was on the preliminary plat, about covenants and

restrictions. Without this, fees likely cannot be charged to property owners to maintain the private park.

The Parks Department has moved away from requiring each individual development to have a park, and the Raemisch Farm area will be served by Berkley and Whitetail Ridge Parks (per a 8/20/2021 letter from Parks in connection with the filing of the 1st preliminary plat). But Outlot 3, dedicated for a park in the approved preliminary plat, is not just another little park – it also serves as the school forest for the adjacent school.

Sunfield Street

On the preliminary plat, Sunfield Street was platted as an east-west street running through the entire plat from Packers to Sherman, connecting to the existing Sunfield Street on the other side of Sherman. Now it is just a stub of a street, running from Packers to almost halfway into the plat, then dead ending. (That dead end is about 6 feet lower than the existing grade, as shown on the grading plan for the approved preliminary plat, so will grading extend further into the unplatted land?) Should Halo/Lokre be required to dedicate the remainder of Sunfield at this time so that it does connect at Sherman?

MGO 16.23(6)(a)3.d. "Proposed streets shall extend to the boundary lines of the subdivision unless prevented by topography or other physical conditions; or unless in the opinion of the Plan Commission such extension is not necessary or desirable for the coordination of the layout of the subdivision and for the advantageous development of the adjacent lands. Temporary turnarounds adjacent to the boundary of the subdivision being subdivided may be required at street ends."

MGO 16.23(6)(a)12. "Half Streets. Where an existing dedicated or platted half street is adjacent to the tract being divided, the other half of the street shall be dedicated by the subdivider."

Conformance with adopted plans

The staff report summarizes the neighborhood plan: "The major planning and design goals outlined in the plan are flexibility in developing the site to achieve a denser, more urban neighborhood; a diversity of buildings and uses; sustainable neighborhood design; creating new street and path connections with the surrounding community; and preservation of open space." This proposed final plat only accomplishes one goal, that being greater density. The preliminary plan at least arguably accomplished all the goals.

Respectfully Submitted,
Linda Lehnertz

Attachment A

At the 9/6/22 Council meeting approving the plat and rezoning, Joel Oliver (the representative for Green Street, the original subdivider and now representing Halo) told Council at minute 35 that "the new plan that's in front of you tonight preserves 10 and a half acres of agricultural land which would make it the largest community garden in the City and we sent you all a letter of commitment that we put together on Friday working with staff and Alders around our commitment to sound attenuation based on what was done at Bimbo." He also spoke that there would be "accessible outdoor space." He said 21 single family homes were eliminated to "preserve the outdoor ag space." He said that was a "significant give" that they made and that they were still "donating land," 3.52 acres, to the school.

During the question period, at minute 1:22, Alder Harrington-McKinney asked Joel Oliver to summarize adjustments from prior project that was not approved. He explained the original plan was denied. Green Street shrunk the single-family lot size; they are donating 3.5 acres to the school; they eliminated 21 homes to create the agricultural area; they self-imposed the plat note saying that nobody that owns this could develop residential within the 65 dB line thus they changed to commercial zoning in that area; they moved townhouses to the middle of the site from Sherman; they made a park in the middle for green space that they will own and maintain; and, the memo committing to the sound attenuation "which people don't realize what a huge give that is to do that." Mr. Oliver went on to say they initially worked collaboratively with the community and those changes were made. Alder Bennett asked if there was anything legally binding regarding the agricultural land. Mr. Oliver replied that if someone wanted to change that from agricultural land, they would need to go through the process, but that was not their intention.

Staff's presentation to Council (see slide at minute 2:44) included a 10.2 acre agricultural lot and 3 outlots for parks/stormwater. Staff discussed food production, referencing Comprehensive Plan provisions addressing community gardens and local food production. The slide presented at minute 2:56 focused on the 10.2 acres, about 7.5 acres of which would be available for cultivation while the remainder is wetland. In all, staff spent about 10 minutes explaining the 10.2 acres and the proposed use.

Staff's presentation also covered the airport noise and how the applicant addressed the noise at minute 3:00: "Within their multi-family developments they've committed, in writing, to pursue the noise mitigation measures on the eastern portions of the buildings and the rooftops to try to mitigate the sound from the airport." The district's Alder later said (minute 3:07) that "it's kind of nice to have a memo in this that we can definitely have the sound mitigation" and that it is something not usually seen. Staff reiterated the sound mitigation commitment.

In closing, minute 3:01, staff told Council that the plat was consistent with adopted plans, provides a wide variety of housing options, "as well as other community benefits that we don't typically see." Later the district's Alder, minute 3:14, asked staff about the developer meeting a lot of senses which is not something that a developer usually does and asks staff to elaborate. Staff replied that the developer has demonstrated "a willingness to listen and make changes, the most significant recent change with this particular iteration is that commitment to leave that 10 acre site zoned agriculture. So not pursuing development of the 20 some homes that were

shown on that portion of the property in the past. Really trying to hear the community, I think hope for the right non-profit partner or for-profit partner to come forward and manage that portion of the property. That is something that is atypical. We don't see developers, for the most part, willing to pursue those partnerships."

Alder Phair, in the discussion period, said they would be "looking a gift horse in the mouth" if approval was denied. Alder Halverson spoke to how the developer was willing to accommodate requests and work with the community and spoke to the commitments from the developer. Alder Carter said she saw the compromise in this proposal compared to the earlier version. Alder Currie spoke to the agricultural use. Alder Abbas spoke, in part, to agriculture and the written developer commitment to sound mitigation.