

***DRAFT***

**Cherokee  
Special Area Plan**

**Recommendations for Land Use and Development**

**City of Madison  
Department of Planning and Development, Planning Unit**

**November 14, 2006**

<b>Introduction .....</b>	<b>1</b>
<b>Existing Conditions and Background Information .....</b>	<b>1</b>
Cherokee Special Area Plan Study Area .....	1
Municipal Jurisdictions.....	1
Property Ownership.....	2
Existing Land Use.....	2
Existing Zoning .....	3
Natural Features.....	5
Utilities .....	7
Existing Transportation Facilities.....	8
Historical Cherokee Park, Inc. - Related Approvals, Agreements, Easements .....	10
Other Planning Considerations .....	12
City of Madison Comprehensive Plan Land Use Recommendations .....	15
<b>Cherokee Special Area Plan .....</b>	<b>15</b>
Recommended Land Use.....	15
Neighborhood Development And Design Principles .....	16
Hornung Range Sub-Area (1) Recommendations .....	18
Hornung Woods Sub-Area (2) Recommendations.....	21
Cherokee Country Club Sub-Area (3) Recommendations .....	22
Wheeler Triangle Sub-Area (4) Recommendations .....	23
Cherokee Park Fifth Addition Sub-Area (5) Recommendations.....	24
High Hill Sub-Area (6) Recommendations .....	25
Recommended Transportation Facilities.....	26
Recommended Transit Facilities.....	29
Recommended Park and Open Space Improvements.....	29
Recommended Utility Improvements .....	30
Development Staging .....	31
<b>Plan Implementation.....</b>	<b>32</b>
Comprehensive Plan Supplement and Amendment .....	32
Central Urban Service Area Amendment.....	32
Zoning.....	33
Land Division Regulations .....	33
Official Map.....	34
Capital Improvement Program and Budget .....	34
Annexation Policy .....	34
Interagency Cooperation .....	34
<b>Appendix One.....</b>	<b>36</b>
City of Madison Comprehensive Plan Land Use Recommendations .....	36
<b>Maps 1-10.....</b>	<b>End of the Report</b>
<b>Appendix Maps 1-5 .....</b>	<b>End of the Report</b>

## **Introduction**

The Cherokee Special Area Plan (SAP) has been prepared to guide the future growth and development of lands in the Cherokee area on Madison's north side. The City's Comprehensive Plan provides general recommendations for this area, which are relatively broad and are applied to relatively large geographic areas. In order to provide the detailed recommendations needed to guide future development-related decisions at specific locations, the Comprehensive Plan recommends that significant changes in land use from existing conditions be consistent with the recommendations of a City-adopted special area plan, neighborhood plan, or neighborhood development plan. The land use and design recommendations of the Cherokee SAP are intended to be consistent with the recommendations of the Comprehensive Plan, but more detailed and specific so that they provide meaningful guidance to developers, neighborhoods, City agencies, policy makers, and others involved in the initiation or review of development projects. The Cherokee Special Area Plan is the plan against which development proposals will be evaluated.

The Cherokee SAP recommends land uses, such as park and open space or low density residential, for lands located within the Plan's study area. The Cherokee SAP includes recommendations for the protection of environmentally sensitive features within and adjacent to the study area. The SAP also includes design standards that establish the recommended character of new development. In addition, the SAP also facilitates planning for the design and construction of infrastructure such as streets, pedestrian and bicycle trails, sanitary sewer service, water systems and stormwater management facilities.

## **Existing Conditions and Background Information**

### ***Cherokee Special Area Plan Study Area***

The Cherokee Special Area Plan study area includes lands west of the Dane County Regional Airport, parts of the Whitetail Ridge and Sherman Village subdivisions, lands east of the Yahara River, and lands south of the Cherokee Conservation Park and adjacent marshlands. The study area includes six core planning sub-areas where development is proposed or is likely to be proposed. Significant public acquisition of open space may also occur in some of the sub-areas. The six core planning sub-areas are listed below and are shown on **Map 1-Study Area**.

1. Hornung Range
2. Hornung Woods
3. Cherokee Country Club
4. Wheeler Triangle
5. Cherokee Park Fifth Addition
6. High Hill

### ***Municipal Jurisdictions***

The study area includes lands located in the City of Madison, the Town of Burke and the Town of Westport (See **Table 1** below and **Map 2-Municipal Jurisdictions**). Further, lands within the study area are located within one of three school districts: Madison Metropolitan, Waunakee, and DeForest.

**Table 1: Municipal Jurisdiction – Study Area**

Jurisdiction	Acres	% of Total
City of Madison	672.3	35.2%
Town of Burke	938.2	49.1%
Town of Westport	301.0	15.7%
<b>Total</b>	<b>1,911.5</b>	<b>100.0%</b>

### ***Property Ownership***

Cherokee Park, Incorporated is the major property owner within the study area. Other major property owners include the City of Madison and Dane County. **Table 2** below and **Map 3-Property Ownership** indicate the major property owners within the Cherokee Special Area Plan study area.

**Table 2: Property Ownership – Study Area**

Owner	Acres
Cherokee Park, Inc.	643.4
City of Madison	235.7
Dane County	241.1
Other Ownerships, Right-of-Way and Open Water	791.3
<b>Total</b>	<b>1,911.5</b>

### ***Existing Land Use***

**Table 3** below summarizes existing land use by acres in the Cherokee Special Area Plan study area. Existing Land Use is shown on **Map 4-Existing Land Use**.

**Table 3: Existing Land Use – Study Area**

Land Use	Acres	% of Total
Residential	300.7	15.7%
Commercial/Employment	26.5	1.4%
Institutional	40.7	2.1%
Park and Open Space	989.0	51.7%
Vacant/Agricultural	291.0	15.2%
Right-of-Way	133.1	7.0%
Open Water	130.6	6.8%
<b>Total</b>	<b>1,911.6</b>	<b>100%</b>

## **Park and Open Space Uses**

A large part of the study area is open space. These open spaces are located primarily in Cherokee Marsh and adjacent areas, and include wetlands, floodplains, drainageways and some undeveloped uplands. In addition, several parks are located in the Cherokee SAP study area. These include: Cherokee Park, portions of the Cherokee Conservation Park North Unit and South Unit, Whitetail Ridge Park, Sherman Village Park and Northland Manor Park. The Cherokee Country Club golf course is also considered park and open space.

## **Residential Uses**

Low density residential uses within the study area include parts of the Sherman Village and Whitetail Ridge subdivisions, the Cherokee Park subdivision, the James F. Taff subdivision plat in the Town of Burke and the Burke Assessor Plat #3. These areas are primarily developed with single-family dwellings. Areas within the study area that are developed with multiple family buildings include the Cherokee Townhomes, and the Cherokee Garden Condominiums and Townhomes. A few duplex lots and multiple family buildings are located in the study area within the Town of Burke.

## **Non-Residential Uses**

As noted above, the Cherokee Country Club is a major land use within the study area. The clubhouse is considered a non-residential use, while the golf course is designated as open space. Other non-residential uses include Saint Peter's Church, the Dovetail subdivision (industrial and commercial uses) and a cluster of commercial and industrial uses on lots located along the south and east sides of CTH CV in the Town of Burke. In addition, Blackhawk Middle School and Gompers Elementary School are located within the study area. Finally, two water wells, one in the Town of Burke, and the other in the City of Madison, are located in the study area.

The Dane County Regional Airport is located along the eastern boundary of the Cherokee study area. The study area is impacted by flights using runway 14/32. Parts of the runway 14/32 "runway protection area" and "avigation easement" area are located in the eastern and northeastern sections of the study area.

## **Existing Zoning**

As noted above, the study area includes lands within the City of Madison, the Town of Westport and the Town of Burke. The City of Madison Zoning Code regulates development within the City of Madison. The Dane County Zoning Ordinance regulates development on lands within the town. Land within the study area is zoned for residential, conservation, commercial, manufacturing and agriculture use. Shoreland, wetland and floodplain zoning regulations also apply in some areas. **Table 4** summarizes the districts, and **Map 5-Existing Zoning Districts**, shows their locations.

**Table 4: Existing Zoning Districts – Study Area**

**City of Madison**

Agriculture District (A)

The Agriculture District is intended to preserve lands suited to future urban development pending proper timing and economical provision of public utilities and community facilities to ensure compact and orderly land use development.

Conservancy District (C)

The Conservancy District is intended to preserve and perpetuate in an open state areas such as lakes and waterways, wetlands and marshes, flood plains and stream beds, certain agricultural lands, slopes and other areas of aesthetic value which, because of their unique physical features, are deemed desirable and functional as natural drainageways and water retention areas, natural habitat for plant and animal life, greenbelts and other multiple purpose uses beneficial to the community.

Planned Unit Development District/Specific Implementation Plan (PUD/SIP)

The PUD/SIP District provides a voluntary regulatory framework to encourage and promote improved environmental and aesthetic design in the City by allowing greater freedom, imagination and flexibility in the development of land while ensuring substantial compliance to the basic intent of the zoning code and the general plan for community development.

R-1 Single-Family Residence District

The R-1 District is intended to stabilize and protect the essential characteristics of low density residential areas in outlying parts of the City and is limited primarily to single-family dwellings, low-density multiple family dwelling units in planned residential developments and certain community and recreational facilities to serve area residents.

R-2 Single-Family Residence District

The R-2 District is intended to protect the essential characteristics of low density residential areas located in the outlying as well as some inlying urban parts of the City. This district is limited primarily to single-family dwellings, low-density multiple-family dwellings in planned residential developments, and certain community and recreational facilities to serve area residents.

R-4 General Residence District

The R4 District is intended to stabilize and protect the essential characteristics of certain medium density residential areas normally located in the outlying as well as some inlying parts of the City. Development is limited primarily to single-family, two-family, and multiple-family dwellings and convalescent homes, and certain community and recreational facilities to serve area residents.

Wetland District (W)

The Wetland District is intended to maintain safe and healthful conditions, to prevent and control water pollution, to protect fish spawning grounds, fish and aquatic life and wildlife habitat, to preserve shore cover and natural beauty and to control building and development in wetlands, whenever possible.

**Table 4: Existing Zoning Districts – Study Area (continued)**

**Dane County: Towns of Burke and Westport**

**A-1 Exclusive Agriculture District**

The A-1Ex District is intended to preserve productive agricultural land for food and fiber production.

**A-1 Agriculture District**

This district is in effect only in those towns that have not elected to have the A-1 Exclusive Agriculture District in their towns. The Town of Burke is a non-Exclusive Agriculture town. The A-1 Agriculture District is generally for agricultural production and related uses. Residences and a variety of other non-farm uses are permitted.

**B-1 Local Business District**

The B-1 District is intended to provide a district for retail businesses and services that do not include manufacturing or major assembly of items or products. Residential use is limited, outside storage of items is restricted and landscaping of properties is required.

**C-1 Commercial District**

The C1 District permits many different uses such as retail and service uses as well as distribution centers, wholesale businesses, woodworking shops, machine shops, and manufacturing and assembly plants.

**C-2 Commercial District**

The C-2 District permits all of the uses permitted in the C-1 District without limitations as to size. There are many additional permitted uses, which are primarily motor vehicle, and entertainment related uses.

**R-3A Residential District**

The R-3A District allows all uses that are also allowed in the R-1 district. The primary difference is that duplexes are a permitted use in the R-3A district and they are not a permitted or a conditional use in the R-1 district.

**R-4 Residence District**

The R-4 Residence District allows all uses permitted in the R-3A District with the exception that the R-4 district also allows multiple family dwellings, community living arrangements, nursing homes, extended care facilities, veterinary clinics, professional offices and mobile home parks.

**RE-1 Recreational District**

The RE-1 District permits facilities such as golf courses, driving ranges, tennis courts, archery ranges, baseball diamonds, ski slopes and jumps, and toboggan slides.

## ***Natural Features***

The Cherokee SAP Study Area includes numerous natural features. The locations of some of these features are indicated on **Map 6-Natural Features**.

### **Cherokee Marsh**

The primary natural feature in the study area is Cherokee Marsh. The Marsh encompasses over 4,000 total acres and is Dane County's largest wetland. Cherokee Marsh consists of wetlands, southern Wisconsin woodlots, old fields, restored prairie and oak savanna, two glacial drumlins and a section of the Yahara River. The Marsh provides a large area of natural open space at the edge of the City. In addition, the Marsh wetlands and their environs provide natural vegetation and extensive wildlife habitat. The Marsh plays a critical role in maintaining the quality of Madison's lakes by filtering run-off. This resource also serves as a natural flood storage area. In addition, Cherokee Marsh provides many year-round recreational and educational opportunities.

The Cherokee Marsh Conservation Park has been in existence since the city began buying land in Cherokee Marsh since the 1960s, and now totals 1,218 acres. The Conservation Park is managed for restoration of native plant and animal communities. It serves as a primary site for outdoor education and natural area research for elementary through post-graduate levels. It also provides a site for compatible nature-based recreation, such as bird watching, nature study, astronomy, photography, hiking and skiing.

### **Environmental Corridors**

The now disbanded Dane County Regional Planning Commission (DCRPC) defined environmental corridors as "continuous systems of open space in urban and urbanizing areas, that include environmentally sensitive lands and natural areas requiring protection from disturbance and development, and lands intended to remain generally open and undeveloped, and may not receive sanitary sewer for development purposes." Environmental corridors are based mainly on drainageways and streams channels, floodplains, wetlands, steep slopes, and other resource features. Before disbanding, the DCRPC identified and mapped environmental corridors in all urban service areas in Dane County. Now, the Dane County Division of Planning and Community Analysis (DCDPCA) designates and maps environmental corridors in all urban service areas in Dane County, including the Central Urban Service Area (CUSA) which includes the City of Madison. All mapped environmental corridors in the Cherokee SAP are located within the CUSA in the Town of Westport and the City of Madison. The environmental corridors are primarily associated with the wetlands and floodplains of Cherokee Marsh and the shorelands of the Yahara River. The Cherokee Country Club, with the exception of the clubhouse area, is also designated environmental corridor. Environmentally sensitive areas and natural features located outside of the CUSA are not designated as environmental corridors until such areas are attached to the CUSA.

### **Floodplains**

The study area includes large areas that are classified as 100-year floodplain according to the Federal Emergency Management Agency. Both the City and County zoning codes include floodplains regulations for these areas.

### **Soils**

The soils in the area are predominantly peat or muck soils in the lowlands and silt loams or sandy loams in the uplands. The upland soils are generally agriculturally productive, while the wet soils are only productive when adequately drained. There are also occasional sandy and gravelly soils which have a low agricultural productivity.

### **Topography**

The topography of the study area is primarily characterized by low-lying wetlands and meadowlands. The low-lying Cherokee Marsh is located along the northern, and eastern edges of the study area. The Yahara River is located on the western edge of the study area. In the southern portion of the study area, the elevation increases moderately, moving east along Wheeler Road, until it reaches its highest point (950 feet above sea level) at a small area on both sides of North Sherman Avenue. The topography of the central and northern portions of the study area is low-lying, except for the "High Hill", which is located immediately east of North Sherman Avenue and the Fifth Addition sub-area. The "High Hill" is the second highest point in the study area with an elevation of about approximately 910 feet above sea level compared to North Sherman Avenue, which is approximately 850 feet above sea level.



## **Wetlands**

Much of the study area is designated as wetland according to the Wisconsin DNR Wetland Inventory Maps and subsequent delineations. Wetlands are a major natural resource feature within Cherokee Marsh. Some wetlands are located within environmental corridors, while those that are located outside of the Central Urban Service Area are not yet designated as environmental corridors.

Cherokee Park, Inc. retained a consultant to delineate wetlands within the study area. The wetland delineations have been approved by the United States Army Corps of Engineers. Further, the Wisconsin Department of Natural Resources (WISDNR) has approved all but one of the delineations. Wetland setbacks are regulated by federal, state and local requirements. Within the CUSA, environmental corridors include a 75-foot setback from delineated wetlands. Any proposal for a setback of less than 75 feet would constitute a "major change" to the environmental corridor. In order to allow such a change, the City would have to formally approve (by resolution) the request and then request the WISDNR to approve the change. The request would then go through the Dane County Division of Planning and Community Analysis (DCDPCA) or its successor water quality management agency. The DCDPCA would hold a public hearing before making a recommendation to the WISDNR.

## **Wooded Areas**

Although not extensive, there are wooded areas within the study area. These areas include the Hornung Woods, Hornung Range, and the Fifth Addition sub-areas. These woodlands are of varying quality, but they do provide aesthetic and environmental benefits. For example, wooded areas provide habitat for various plants and animals. They also provide attractive natural greenspace in urban areas.

## **Yahara River**

The Yahara River is located immediately west of the study area. The river originates in the marshy areas of Columbia County and flows as a small meandering creek through extensively farmed land until it empties into Cherokee Marsh, and eventually, Lake Mendota.

## **Utilities**

### **Public Wastewater System**

Urban service areas are those lands in and around existing communities that are most suitable for urban development and capable of being provided with a full range of urban services. Wisconsin Statutes and Administrative Rules require that the provision of sanitary sewer facilities and service be consistent with State-approved water quality management plans. As part of the preparation of the area-wide water quality plan for Dane County, the Dane County Community Analysis and Planning Division (DCCAPD) and DNR delineate sewer service areas for all areas in Dane County intended to receive sanitary sewer service. The sewer service areas correspond to the urban service areas and limited service areas in adopted plans. They are used by DCCAPD and the Wisconsin Department of Natural Resources to review all sewerage facilities and sanitary sewer extensions in Dane County for consistency with plans, ensuring that urban development that is served by sanitary sewers, occurs in planned urban service areas, while protecting urban environmental corridors.

Those areas within the City of Madison that are served with sanitary sewers are located within the Central Urban Service Area (CUSA). Madison Metropolitan Sewerage District (MMSD) provides wastewater collection services in Madison's portion of the CUSA. Five of the six sub-

areas are entirely within the CUSA. A portion of the Hornung Range sub-area is not located within the CUSA. Within the CUSA, sanitary sewer service cannot be provided to lands located within environmental corridors. The CUSA boundary is depicted on **Map 8-Other Planning Considerations**.

The Cherokee Park, Inc. lands can be served by a Madison Metropolitan Sewerage District (MMSD) interceptor sewer that enters the study area from the east, then runs generally west adjacent to the James F. Taff subdivision plat, then extends westerly to North Sherman Avenue where it passes north of the Cherokee Country Club Clubhouse, before terminating in the Cherokee Townhomes area. A MMSD force main passes through the northern part of the Cherokee Townhomes, extending westerly across Comanche Way where it connects with another MMSD interceptor sewer. Two pumping stations, one along Comanche Way and the second at the terminus of Comanche Glen, serve the Cherokee Park subdivision. Force mains pump the sewage from these areas into the MMSD interceptor sewer. The locations of sanitary sewer facilities are shown on **Appendix Map 2-Public Wastewater System**.

### **Municipal Water**

The Madison Water Utility manages the public water supply for the City. The Utility operates a well (Well 13) and water reservoir at the southeast corner of Wheeler Road and Delaware Boulevard. At this time, Well 13 is pumping at 65% capacity. The well has a maximum pumping capacity of 3.3 million gallons per day. The well is a deep well that draws from the upper and lower sandstone aquifers. The timing and locations of new facilities is a function of development pressure within a certain area in conjunction with the Utility's adopted master plan to develop a capital improvement program that meets the area's demands.

The Burke Utility District No. 1 is located in a portion of the Town of Burke south of Wheeler Road and west of CTH CV. The District was organized in 1997. The well that provides water to the District is located south of Wheeler Road and west of the parcels fronting on CTH CV. The well is 410 feet deep and draws from the deep aquifer. It can yield 270,000 gallons per day (See **Appendix-Map 3 Public Water Supply**).

### ***Existing Transportation Facilities***

In general, there are several well-established existing streets and multi-modal transportation facilities that serve the study area. These include:

#### **Roadways**

Existing major streets serving the Cherokee SAP study area include Wheeler Road, County Trunk Highway CV and Sherman Avenue. The streets designated as collector streets are Comanche Way, North Sherman Avenue, Delaware Boulevard, School Road and Wheeler Road. Collector streets typically connect local neighborhood streets and other low intensity development areas to other collector streets or higher volume arterial streets. All other public streets within the study area are classified as "local" roads.

Wheeler Road is classified as a collector street both east and west of Sherman Avenue. East of Sherman Avenue, Wheeler Road is currently a rural, two-lane roadway with no curb and gutter and no sidewalks. West of Sherman Avenue, Wheeler Road is a 44-foot wide urban street with two lanes for traffic and parking on both sides of the street, and sidewalk on the north side of the street.

Sherman Avenue, south of Wheeler Road is a 44-foot wide urban street with two lanes for traffic and parking on both sides of the street, with sidewalk along the full west side of the street from Wheeler Road south to State Trunk Highway 113, and only intermittently on the east side.

Sherman Avenue, north of Wheeler Road is partially built as a 44-foot wide urban street with two lanes for traffic and parking, with sidewalk on one side for a short distance from Wheeler Road to where it ends near the Cherokee Country Club Clubhouse. North of the Clubhouse, the street narrows to a rural two-lane roadway with no sidewalk.

County Trunk Highway CV, an arterial that also serves the area, is currently a two-lane roadway with no sidewalks.

Street classifications are shown on **Map 7-Existing Transportation Facilities**. The most recent traffic volume information is provided on **Appendix Map 5-2004 Traffic Volume**.

### **Transit**

Madison Metro Transit provides bus service in the study area. Route 21 provides primary service seven days a week along Delaware and Northland in the southwestern portion of the study area. Route 24 provides additional weekday peak hour service at the intersection of North Sherman Avenue and Wheeler Road in the southcentral portion of the study area. Route 29 provides limited weekday commuter service along Wheeler Road (West of Sherman), Comanche Way and North Sherman Avenue in the western portion of the study area including the Cherokee Park subdivision. There are also additional routes on weekdays during the MMSD school year to accommodate students' use of the bus system. Bus routes are shown on **Map 7-Existing Transportation Facilities**.

### **Bicycle Facilities**

The Madison Bikeway System Route Map identifies the following facilities within the study area:

- *Local streets* include all streets in the study area except Wheeler Road, North Sherman Avenue, Comanche Way and Delaware Boulevard. Local streets primarily provide access to homes. These streets have lower volumes, slower speeds and typically do not need any special accommodations for bicyclists. Many bicyclists, however, find local streets inconvenient for longer trips due to frequent stops or circuitous routes.
- *Through streets suitable for most bicyclists* include Wheeler Road, North Sherman Avenue, Comanche Way and Delaware Boulevard north of Northland Drive. These streets are collector or arterial streets suitable for most bicyclists, but without any special facilities for bicyclists. Collector streets connect the neighborhood streets to the main streets. Collector streets have higher volumes of traffic and higher speeds than local streets, but generally are acceptable to most bicyclists without the need for special facilities.
- *Bike routes* include CTH CV, Delaware Boulevard and Northland Drive. These routes are intended to indicate major routes through the City that most bicyclists will feel comfortable using. They are not intended to link all possible locations. Bicyclists are not required to use these routes. New bicyclists and bicyclists new to Madison, will find these routes useful for getting to know Madison by bicycle. Bicycle routes use a combination of local and collector streets, arterial streets with bike lanes or wide curb lanes, overpasses and underpasses.

- A *bike path* connects Delaware Boulevard to Monica Lane.

Signed bicycle routes in the Cherokee SAP study area include North Sherman Avenue north to Wheeler Road, Delaware Boulevard, Northland Drive and School Road. Bicycles also have the right to use all other public streets in the study area, even if those streets do not have bicycle route signs. Bicycle routes are shown on **Map 7-Existing Transportation Facilities**.

### **Pedestrian Facilities**

Sidewalks are provided on both sides of most City streets in the study area. There are no sidewalks along the Town roads and CTH CV. Portions of Wheeler Road and North Sherman Avenue have sidewalks on one side of the street. North Sherman Avenue, north of Wheeler Road, does not have sidewalks on either side of the street.

### **Rail Facilities**

A Canadian Pacific rail line runs through the eastern part of the study area. This segment of the line was recently relocated to the west of its previous location. The relocation provides additional takeoff and landing clearance for aircraft using the Dane County Regional Airport. Currently, one train uses this segment of the line per day. While currently utilized for only freight rail, this line could potentially be part of a commuter rail system being studied as part of Transport 2020. Service from the interior of the City of Madison to the Airport has been identified as a priority. A northerly extension of the system from the Airport would pass through the study area.

### **Dane County Regional Airport**

The Dane County Regional Airport is located immediately east of the study area and Airport operations impact parts of the study area. These impacts include exposure to noise and limitations on land use and building heights. According to Airport staff, the Average Day-Night Sound Level (DNL) of 65 decibels does not affect the lands within the study area. All 65 DNL contours are now confined to Airport property.

The Cherokee SAP is located within the "airport affected area," which includes all lands within approximately three miles of the Airport. Within this portion of the "airport affected area" the Airport recommends only airport compatible land uses. Further, the Airport recommends that aviation easements be placed on all plats within the study area. Aviation easements typically include a provision prohibiting property owners from suing the airport for noise impact.

### ***Historical Cherokee Park, Inc. - Related Approvals, Agreements, Easements***

There is a long history of efforts to preserve and develop lands in the Cherokee area. These activities date back to at least the 1950s. A summary of past approvals, agreements, easements and plans pertinent to the study area is provided below.

### **Preliminary Plat And Final Plats Of Cherokee Park**

Originally, Cherokee Park, Inc. submitted a preliminary plat to the City prior to August 1, 1964. On October 22, 1964 a revised plat was submitted to the City. The Plan Commission did not approve the plat because it had more conditions than acceptable items. On January 5, 1965, Cherokee Park, Inc. submitted a revised preliminary plat to the City of Madison. On January 11, 1965, the City Plan Commission approved the preliminary plat subject to Cherokee Park, Inc.

meeting a number of conditions of approval. The conditions of approval included various technical requirements that Cherokee Park, Inc. was required to meet before the preliminary plat would receive final City approval. In addition to the technical requirements, the City required that public open space easements be provided in various areas of the plat. The easements were required to stipulate the types of uses to be approved by the City and provisions for maintenance of the lands. Ultimately, a City-approved preliminary plat was filed with the Dane County Register of Deeds on May 21, 1965 as Document Number 1131227.

The Common Council approved the first of several final plats titled "Plat of Cherokee Park" on February 24, 1966. The initial final plat was recorded with the Dane County Register of Deeds on February 25, 1966. The "First Addition to Cherokee Park" was approved by the City on July 14, 1966 and recorded on August 3, 1966. The "Second Addition to Cherokee Park" was approved by the City on May 9, 1968 and recorded on June 11, 1968. The "Third Addition to Cherokee Park" was approved by the City on October 10, 1968 and recorded on October 11, 1968. The "Fourth Addition to Cherokee Park" was approved by the City on May 25, 1971 and recorded on June 8, 1971.

#### **City of Madison-Cherokee, Park, Incorporated Agreement**

On February 9, 1965, the City of Madison and Cherokee Park, Inc. entered into an agreement meant to resolve differences between the parties arising from the efforts of the City of Madison to acquire certain real estate owned by Cherokee Park, Inc. The agreement includes a provision that the City of Madison acquire various lands owned by Cherokee Park, Inc. These lands included lake, river, marshlands, and highlands. The lake and river shorelines and the highlands are located along the eastern shores of the Yahara River. The marshlands are located east of North Sherman Avenue and north of the "High Hill" area. Under the terms of the agreement, Cherokee Park, Inc. would make improvements to the Cherokee "Lake" shoreline, create a parkway along the shoreline and remove a berm that at the time separated Cherokee "Lake" from the Yahara River. In addition, the agreement includes a provision that required Cherokee Park, Inc. to submit to the City of Madison a preliminary plat of all of its lands in the Cherokee Marsh area, and that all of the necessary dedications appear on the preliminary plat. Upon approval of the preliminary plat, Cherokee Park, Inc. agreed to process the final plat or plats for all lands it owned. The approved preliminary plat includes lands that are now part of the Cherokee Park subdivision (First through Fourth Additions); the lands north of Wheeler Road, west of North Sherman Avenue and east of Comanche Way; the Fifth Addition north of the Golf Course; and the High Hill.

#### **City of Madison-Cherokee Park, Inc. Open Space Easement**

On May 20, 1965 Rosella Elkind, Dr. J.P. West and Cherokee Park, Inc. provided an open space easement to the City of Madison. The boundaries of the easement are shown on a Cherokee Park Inc. preliminary plat that was approved by the City in 1965. It generally includes the lands west of the lots fronting on the west side of Comanche Way, the lands south of the drainageway that runs east-west south of Menomonie Lane, lands north of Wheeler Road west of Comanche Way and lands east and north of City-owned lands located north of Wheeler Road. The easement, which runs in perpetuity, lists permitted and prohibited land uses and activities on lands located within the easement's "restricted area". The easement allows general agricultural uses (except for farms), and recreational uses including a golf course in the restricted areas. Other uses are not permitted, although grading or filling may be allowed with the written approval of the City of Madison Common Council. Current environmental regulations apply to this area, however, which may limit grading or filling in wetland areas.

## **Other Planning Considerations**

Some issues that were considered during the preparation of the Cherokee Special Area Plan are summarized below and shown on **Map 8-Other Planning Considerations**. Some of these issues limited what type of land uses or street patterns could be considered for specific areas, while others provided opportunities for achieving important community objectives such as open space preservation.

### **Cherokee Marsh Long-Range Open Space Plan-Revised, September 1981**

Efforts to preserve Cherokee Marsh began in the 1950s. In the mid-1960s, the City of Madison and the State of Wisconsin began acquiring lands in the Marsh for preservation, recreation and public hunting and fishing. Since then, there have been additional City and State acquisitions. Further, Dane County has established two new parks in the area. Currently, the City of Madison owns 1,210 acres of Cherokee Marsh, including the Cherokee Conservation Park. The Cherokee Marsh State Natural Area is located north and east of Cherokee Park, Inc. holdings west of the railroad.

In 1977, the City of Madison Parks Commission initiated a process to coordinate the various government agencies involved to develop a long-range open space plan for the Cherokee Marsh area. The intent was to create an overall plan for the Lake Mendota-Upper Yahara corridor and to ultimately link the public lands together into a major open space area.

An Intergovernmental Advisory Committee was established to review and revise a draft plan that was written by the State, Dane County, City of Madison, Town of Westport and Town of Burke. The proposed plan was published in April 1980. After a series of public meetings, the Committee published a revised plan for public review in July 1981. The Plan was adopted to serve as a guideline for the protection of Cherokee Marsh.

The 1981 Plan recommendations for proposed open space areas (200 feet from the edge of any marsh or surface water) were not applied to lands that had already been developed or approved for development, unless the development committed the land to open space. Since the City had already approved the Cherokee preliminary plat, which includes the Fifth Addition and the High Hill, these areas were considered approved for development and were not included in the proposed open space area.

### **Dane County Regional Airport**

As noted above, the eastern and northeastern parts of the study area are impacted by the Airport's runway 14/32 runway protection area and aviation easement area. The Federal Aviation Administration and Dane County enforce building height restrictions in areas in and around the Airport. In general, the Airport prefers that no development occur within the runway protection areas and that airport-compatible uses occur with the airport affected area. The Airport has recommended that aviation easements be provided by new non-compatible development such as residential uses. The purpose of these easements is to notify property owners that their property is located in an area that may experience impacts from Airport operations. Generally, the Airport desires aviation easements that address Airport noise.

### **Environmental Corridors**

The objective of delineating environmental corridors in local and regional plans is to identify those lands and resources, which perform important environmental functions and should be protected from development and urbanization. Including the corridors in local governments'

plans can help reserve lands needed for drainage and recreation; avoid problems from development on steep slopes, poor soils or flood-prone areas; protect water resources and avoid pollution; and enhance scenic beauty and wildlife habitat.

Once delineated and adopted for lands in the CUSA, the corridors are used by local governments and by the Dane County Division of Planning and Community Analysis (DCDPCA) or its successor regional planning agency and state and federal agencies in making decisions on the location of urban development and major facilities, such as sanitary sewers. The corridors are also part of the basis for open space and recreation planning and acquisition. An important use of the corridors is the review of sewer extensions and sewer service areas, to direct urban development to areas outside the corridors. New development in the study area will need to comply with all applicable environmental corridor-related regulations and guidelines. No sewer development is allowed on lands located within environmental corridors.

### **Land Use Transitions**

The compatibility of future development with existing development is an important planning consideration within the study area. During the preparation of this Plan, special attention was placed on providing appropriate transitions between existing land uses and proposed development. Key transition areas include the areas where the Whitetail Ridge subdivision abuts areas proposed for new development in the Hornung Woods, the Wheeler Triangle and residential areas to the north, east and south; and lands where proposed development abuts Cherokee Marsh, including the Cherokee Marsh Conservation Park North Unit. Land use compatibility is also an issue for development in areas impacted by airport operations.

### **Northport-Warner Park Neighborhood Plan-1992**

The City of Madison Department of Planning and Development and the Community Development Block Grant Commission prepared the *Northport-Warner Park Neighborhood Plan*. The recommendations in this Plan are quite dated, however, some general recommendations do pertain to lands within the Cherokee Special Area Plan study area. The goal of the Plan and its recommendations is to heighten the awareness of the needs of residents residing on the northeast side and to recommend strategies to improve and/or link services to the area. Further, the purpose of the Plan is to provide recommendations that the City, Dane County, and community-based organizations should consider in upcoming budget cycles.

The Plan identifies the Hornung Woods sub-area and the site currently developed with the Cherokee Gardens and Townhomes as "Development Target Areas". The term "Development Target Areas" is not defined in the text of the Plan; however, it seems to suggest an area with "development opportunities." The Plan includes a request that the Department of Planning and Development's Planning Unit develop neighborhood plans for the area bounded by Governor Road and Tennyson Lane to the south; Soo line rail corridor on the west; Wheeler Road and County CV on the north; and Sherman Avenue on the west. Neighborhood residents preferred single-family housing, with duplex housing on main arterials. The Plan also requests that the City of Madison Engineering Division install or repair sidewalks and add traffic control signs in the neighborhood.

### **Potential Street Extensions**

In order to achieve interconnectivity between existing and proposed development areas, several proposed street/trail connections are shown on **Map 8-Other Planning Considerations**. Two potential street connections are shown in the Hornung Range sub-area, while one connection is shown in the Hornung Woods sub-area. In addition, the proposed Burning Wood Way

connection to the Fifth Addition is proposed via a short cul-de-sac with a paved multi-purpose path connecting the area to the Fifth Addition. The cul-de-sac multi-purpose path could be used as an emergency vehicle access route in the event of an emergency in the Fifth Addition.

### **Shorelands**

Shoreland areas include all lands that are within 1,000 feet of the ordinary high water mark of navigable lakes, ponds or flowages listed in the "Surface Water Resource of Dane County" and all lands that are within 300 feet of the ordinary high water mark or landward side of the floodplain of the navigable reaches of rivers and streams. Rivers and streams are presumed to be navigable if they are designated as either continuous or intermittent waterways on United States Geological Survey Maps or other zoning base maps. The Yahara River is considered a navigable river, therefore, shoreland regulations require that all residential lots within 300 feet be not less than 15,000 square feet in area and 100 feet in width. Further, no building, together with accessory buildings, shall occupy more than 30% of a lot. Other areas that may be impacted by shoreland zoning provisions are the southern part of the Fifth Addition and part of the High Hill. The presence of navigable waters in these areas will need to be determined by the methods prescribed in local, county and state regulations. Shoreland areas are shown on **Map 8-Other Planning Considerations**.

Usually, a reduction in the environmental corridor is favorably considered when the overall stormwater management plan compensates for the treatment and other benefits that the buffer was to provide. In no case could the buffer be less than those prescribed by WISDNR regulation NR 151.12 under a "Protective Area" (a "Protective Area" is the width from the delineated edge of a wetland boundary to the closest impervious surface). Wetlands considered "less susceptible" require a protective area between 10 and 30 feet. The required protective area for "highly susceptible" wetlands is a minimum of 50 feet. The minimum protective area is 75 feet for wetlands classified as "outstanding resource waters or exceptional resource waters" and for wetlands in areas of special natural resource interest as specified in Wisconsin Administrative Code NR 103.04.

### **Stormwater Management**

Developers will be required to provide detailed engineering and stormwater management plans as part of future preliminary plat and final plat submittals. This detail usually occurs after initial approval of a special area plan. The City Engineering Department will review the Cherokee Park, Inc. stormwater management plans in conjunction with the proposed plat and grading plan to ensure that the proposed development meets design standards and stormwater management requirements as mandated in Chapter 37 "Erosion and Stormwater Runoff Control" of the Madison General Ordinances. This review includes all Wisconsin DNR stormwater management and erosion control requirements, in accordance with Wisconsin Administrative Code NR 151, and all Dane County stormwater requirements and standards. The development may require separate WISDNR permits that Cherokee Park, Inc. would submit directly to the WISDNR for review and approval.

Larger stormwater facilities, such as detention basins, will be dedicated to the City and maintained by the City. The smaller basins and infiltration facilities will be owned and maintained by the homeowners association, according to procedures that will be reviewed and approved by the City. Whenever private maintenance is to be provided, a deed restriction is recorded against the responsible lot(s) to guarantee maintenance and to establish the provisions if there is non-compliance. Existing stormwater management facilities are indicated on **Appendix Map 4-Stormwater Management**.



## **Travel Corridors**

**Map 8-Other Planning Considerations** identifies travel corridors that serve the Cherokee Special Area Plan study area. These corridors provide access to the existing study area and connect it to other parts of the City.

## ***City of Madison Comprehensive Plan Land Use Recommendations***

The City's Comprehensive Plan recommends Low Density Residential (LDR), Medium Density Residential (MDR), Neighborhood Mixed-Use (NMU), Special Institutional (SI), Employment (E), Industrial (I) and Park and Open Space (P) uses in the study area. (See **Appendix Map 1**) The Comprehensive Plan districts provide general recommendations and standards for the location, type and design of various types of land use. It is intended that the Comprehensive Plan recommendations be supplemented by more detailed recommendations found in special area plans and neighborhood development plans. Detailed summaries of the applicable Comprehensive Plan Land Use districts are provided in Appendix One.

## **Cherokee Special Area Plan**

The Cherokee Special Area Plan builds on the recommendations of the City of Madison Comprehensive Plan. The Comprehensive Plan provides general recommendations for relatively large geographic areas. The Cherokee Special Area Plan is intended to provide more detailed recommendations for smaller geographic areas.

The Cherokee Special Area Plan recommends a land use pattern, a transportation network to serve this pattern, a development staging and utility plan and steps needed to implement the recommendations of the Plan. **Map 9-Recommended Land Use** shows the overall recommended land use and street pattern for the entire study area. **Maps 9A, 9B and 9C** illustrate the recommended land uses and street patterns for the six core planning sub-areas.

The recommendations for housing in different density ranges are intended to be somewhat flexible. For example, it is not expected that every residential development will necessarily correspond exactly to the specific density range indicated, but rather that the general pattern and distribution of densities and dwelling unit types will be consistent with the intent of the Plan's recommendations. The proposed transportation pattern builds upon the established street pattern and transportation facilities in the study area and includes a network of streets that is compatible with existing natural features and development.

## ***Recommended Land Use***

**Map 9, 9A, 9B and 9C** illustrate the recommended land uses for each of the six core planning sub-areas. **Table 5** below provides a breakdown of the proposed land uses in the six core planning sub-areas.

**Table 5: Proposed Land Use – Core Planning Sub-Areas**

Land Use	Acres	% of Total
<b>Residential</b>	<b>100.9</b>	<b>38.8%</b>
Low Density (< 8 du/net ac)	71.5	27.58%
Low Density (8-15 du/net ac)	29.4	11.3%
<b>Commercial / Employment / Mixed-Use</b>	<b>11.5</b>	<b>4.4%</b>
Neighborhood Mixed-Use	3.4	1.3%
Cherokee Country Club	8.1	3.1%
<b>Institutional</b>	<b>14.3</b>	<b>5.5%</b>
<b>Park, Open Space and Drainage*</b>	<b>95.1</b>	<b>36.6%</b>
Public Park	10.3	4.0%
Cherokee Golf Course	0.2	0.1%
Other Open Space	84.6	32.5%
<b>Potential Future Development Area</b>	<b>1.9</b>	<b>.8%</b>
<b>Street Right-of-Way (public and private)</b>	<b>36.3</b>	<b>14.0%</b>
<b>Total</b>	<b>260.0</b>	<b>100.0%</b>

\* In addition, there are over 1,100 acres of additional land proposed as park, open space, and drainage as shown on **Map 9-Recommended Land Use** that are outside of the core planning sub-areas.

Table 6 indicates the proposed number of dwelling units by land use category.

**Table 6: Proposed Estimated Dwelling Units – Core Planning Sub-Areas**

Land Use	Dwelling Units	% of Total
Low Density Residential (< 8 du/net ac)	371	51.3%
Low Density Residential (8-15 du/net ac)	313	43.3%
Neighborhood Mixed Use	34	4.7%
Potential Future Development Area	5	.7%
<b>Total Estimated Dwelling Units</b>	<b>723</b>	<b>100.0</b>

### ***Neighborhood Development And Design Principles***

The following neighborhood development and design principles apply to development in all six core planning sub-areas within the Cherokee SAP. The SAP provides some flexibility in how these principles are applied to development within the sub-areas, as long as the overall intent of the City's Comprehensive Plan recommendations is met.

- **Design Compatibility.** When interlacing different housing types in close proximity, general design compatibility between single-family, duplex and multiple-family housing types should be maintained. Design elements that can help achieve compatibility between different types of housing include building placement in relation to the street and other buildings, roof pitches, articulation and openings in building facades, building heights, facade materials and landscaping.
- **Design Features.** Dwellings should have well-designed facades that face the street in order to create visual interest and encourage pedestrian activity. Dwellings with garages as the major design feature of the front facade are strongly discouraged. Building designs should enhance the natural environment to the greatest extent possible. Use of “green” building materials and techniques is recommended.
- **Diversity of Neighborhood Design.** Diversity in neighborhood design is one way to create neighborhood identity and distinctiveness. Subtle variations in building setbacks, building orientations, building types and architectural design, street design and furnishings, and landscaping of street terraces can provide variety from one neighborhood to the next, even among neighborhoods with generally similar land uses and development intensities.
- **Interconnectivity.** Neighborhood street networks, sidewalks and paths/trails should provide a safe, interconnected transportation system that links areas both within the neighborhood and outside the neighborhood and provides multiple travel routes for all travelers, regardless of their mode of travel. The street networks should be designed to disperse traffic rather than funnel it onto a few collector streets.
- **Landscaping.** All lots should be landscaped with a variety of trees and plant materials. Special emphasis should be placed on landscaping the front and rear yards. Existing quality vegetation should be preserved to the greatest degree possible, while still accommodating development. Rain gardens are strongly encouraged. Planting of invasive species (as defined by the Invasive Plant Association of Wisconsin) should not be allowed in public or private landscaping.
- **Protection of Natural Features.** Development should be designed to protect, to the greatest degree possible, existing natural features such as the Cherokee Marsh. Buffers between development and Cherokee Marsh should be provided to the greatest extent possible. Stormwater management facilities should be designed to protect the Marsh to the greatest degree possible. Generous building setbacks, buffers and landscaping between development and Cherokee Marsh should be provided in order to help preserve the integrity of the Marsh. Where applicable, City of Madison, Dane County, state and federal regulations will be applied to new development that is located near wetlands and floodplains. Further, development shall comply with environmental corridor regulations where applicable. Removal of high-quality stands of trees in proposed development areas should be minimized to the greatest extent possible. There may also be special requirements for minimizing natural area/wildlife impacts, such as requiring window well covers to prevent the loss of salamanders. Natural aesthetics should also be protected, especially the views to and from the Marsh throughout the year. Height limitations, building setbacks and required planting zones should be required for screening. Building colors should be regulated to minimize their visibility. All lighting, both public and

private should be dark sky compatible down lighting, and should be screened from the Marsh with proposed landscaping.

- **Range of Housing Choices.** Residential development should provide a range of quality housing choices to meet the needs of households of different sizes, lifestyles, incomes and tastes. In addition to a range of dwelling unit types and development densities, there should be a variety of lot sizes in planned development areas. The size and location of the sub-areas will be a factor in determining the appropriate mix of dwelling unit types and sizes within those areas.

New single-use residential neighborhoods that are characterized by large tracts of exclusively single-family residential dwellings, or large, isolated clusters of duplex or multiple-family buildings should be avoided. Recommended single-family housing areas should include a variety of lot sizes and housing types.

- **Stormwater Management Facilities.** The City Engineering Department will review the Cherokee Park, Inc. stormwater management plans in conjunction with the proposed plat and grading plan to ensure that the proposed development meets the design standards and stormwater management requirements as mandated in Chapter 37 "Erosion and Stormwater Runoff Control" of the Madison General Ordinances. One additional goal of stormwater management planning should be to divert urban runoff away from high quality peat wetlands, and into other waterways and wetlands that are less susceptible to impact.
- **Transit Service.** Street networks should be designed to provide good access and circulation routes for current and future transit service.

### ***Hornung Range Sub-Area (1) Recommendations***

The Hornung Range sub-area includes the lands east of North Sherman Avenue, north of Wheeler Road, west and northwest of CTH CV and south of Cherokee Marsh. Recommended land uses and planning considerations for the Hornung Range sub-area are summarized below.

- **Residential Uses.**
  - **Low Density Residential Less than 8 Dwelling Units per Net Acre (LDR <8).** Single-family detached dwellings are the primary recommended land use within the LDR <8 designated areas of the Hornung Range. These units should be developed on lots that vary in size. The lowest densities are recommended for the lands adjacent to Cherokee Marsh, the proposed neighborhood park and the existing low-density Taff subdivision in the Town of Burke. Duplexes and small multiple-family buildings are appropriate in other locations, including lands adjacent to LDR 8-15 areas. While the LDR <8 designation is recommended for the majority of lands in the Hornung Range, small areas may be developed at slightly higher densities. In general, the overall net density of LDR <8 designated lands is expected to be between 5 and 7 units per net acre.
  - **Low Density Residential 8 to 15 Dwelling Units per Net Acre (LDR 8-15).** The LDR 8-15 designation is recommended for some lands fronting on the north side of Wheeler Road and CTH CV, lands north of Wheeler Road along both sides of a

proposed northern extension of Hollow Ridge Road, and along the north side of CTH CV east of the proposed Neighborhood Mixed-Use area.

The LDR 8-15 designation is applied to areas where small lot single-family dwellings, duplexes, and/or multiple-family dwellings are recommended. The exact location of the building types and sizes is intended to be flexible, as long as the overall intent of the LDR 8-15 designation is met. In general, small multiple-family buildings (six or fewer dwelling units per building) are the primary recommended land use in the LDR 8-15 areas of the Hornung Range. These buildings should be at least two stories in height and should be built close to the street.

- **Mixed-Use.**

- **Neighborhood Mixed-Use (NMU).** A Neighborhood Mixed-Use area is recommended at the intersection of Wheeler Road and CTH CV. This area is intended to accommodate a range of uses including neighborhood serving retail, service, office and multiple-family residential development. This area could include specialty businesses that serve wider markets than the study area, provided the size of the establishment and the scale of the building is consistent with the character of the area and the adjacent neighborhood. Given the proximity of the area to existing and proposed residential development, building and site design must be carefully addressed as development occurs here.

In general, buildings in this area should be at least two stories but not more than four stories tall. The tallest buildings should be located along Wheeler Road and CTH CV. Because of the proximity of this area to the Airport, development here must comply with the Airport's building height limitation regulations. The maximum building elevation varies throughout the study area. In the Wheeler Road-CTH CV area, the maximum building height ranges from 1014 to 918 feet above sea level.

Development in the NMU area should provide a pedestrian-oriented, urban environment. Buildings should be placed close to the sidewalk. Parking should be located behind or beside buildings or underground. Pedestrian friendly design amenities, such as decorative paving and lighting along sidewalks and paths, plazas, benches and landscaping can be used to achieve this objective. The design of this area should also accommodate the needs of bicyclists. In addition, the transit-oriented development standards in the City's Comprehensive Plan should be incorporated into the NMU area.

- **Park and Open Space Uses.** The Plan recommends a public neighborhood park in the hickory woods area south of Cherokee Marsh and east of St. Peter's Catholic Church. This park should be designed to provide access to the proposed trail system in the area. Potential facilities in the park include a playground, benches, an open play area and possibly a small shelter.

A 75-foot wide-open space buffer is recommended between Cherokee Marsh and development in the Hornung Range sub-area. This buffer would provide a visual and physical buffer between the Hornung Range and the adjacent natural resource features (such as wetlands) in Cherokee Marsh. The buffer is proposed to include a multi-use trail that would extend from North Sherman Avenue to new development areas in the Hornung Range. The paved trail should be 8-10 feet wide and located in a 75-foot buffer

area. Connection of the trail to future development areas is recommended. The trail could be extended east through the Hornung Range to CTH CV via sidewalks and/or on-street bicycle routes. The trail could also provide a connection to a potential golf driving range on the former landfill owned by the Village of Maple Bluff.

- **Special Institutional Uses.**
  - **St. Peter's Catholic Church.** The Cherokee SAP recommends that the Saint Peter's Catholic Church property continue in its present institutional use. However, should portions of the property be proposed for development, this Plan recommends the land be designated LDR 8-15. This designation would allow development that is generally compatible with the existing and planned development around it. A variety of residential dwelling unit types would be appropriate in this area. Any development of these lands should be done in a manner that it is compatible with adjacent existing and proposed development.
- **Central Urban Service Area.** The Hornung Range sub-area is not located within the Central Urban Service Area (CUSA) at this time. In order to receive municipal wastewater treatment service, it is recommended that this area be added to the CUSA.
- **Environmental Requirements and Regulations.** Development in the Hornung Range will need to meet all applicable, environmental corridor, wetland and floodplain setbacks and regulations. This sub-area abuts mapped wetlands and floodplains.
- **Hornung Range Land Use Transitions.** Dwellings within the Hornung Range sub-area should be compatible with the scale and context of existing development in the area. For example, four-unit townhouses should be designed to look like large single-family dwellings. In order to provide continuity and a smooth transition between new and existing development, shared edges should be developed with compatible land uses, building designs and densities. Similar facade and roof designs, building heights, and development densities all help to achieve a smooth transition between adjacent land uses and building types.
- **Stormwater Management Facilities.** Stormwater management facilities will be located within the Hornung Range sub-area. The number, location and design of these facilities will be determined at the time of land division or final zoning approvals. One goal of the Plan should be to direct stormwater away from high quality peat marsh.
- **Transportation System.** The recommended transportation system in the Hornung Range sub-area is an interconnected, modified grid pattern that includes public streets, on-street bicycle routes, sidewalks and off-street multi-use paths. The recommended street system includes connections to Wheeler Road, CTH CV/Packers Avenue, and the Hornung Woods sub-area. The street pattern is meant to be somewhat flexible as long as the overall transportation objectives for the area are met. These objectives include but are not limited to providing an interconnected street pattern that meets the needs of motorists, bicyclist, pedestrians, and transit riders; and locating streets so that they take advantage of attractive views to and from Cherokee Marsh and other parks and open space areas. An east-west public pedestrian/bike easement is recommended along the northern edge of this sub-area to connect North Sherman Avenue to the public park and the planned collector north-south street, which bisects the area. This new north-south

street would be a newly designated bike route that would also connect to Whitetail Ridge Park to the south.

## ***Hornung Woods Sub-Area (2) Recommendations***

The Hornung Woods sub-area includes the lands east of North Sherman Avenue, south of Wheeler Road, north of the Whitetail Ridge subdivision and west of CTH CV. Recommended land uses and planning considerations for the Hornung Woods sub-area are summarized below.

- **Residential Uses.**

- **Low Density Residential Less than 8 Dwelling Units per Net Acre (LDR <8).** Single-family detached and duplex dwelling units are recommended within LDR <8 designated lands in the Hornung Woods sub-area. Recommended densities within the LDR <8 areas are expected to be within the 5 to 8 dwelling units per net acre range. Given the proximity of the proposed LDR <8 areas to existing dwelling units, land use transitions must be very carefully planned as new development occurs. This is especially important where the Hornung Woods sub-area abuts the Whitetail Ridge subdivision. In this area, it is recommended that single-family detached dwellings be built on lots of comparable size to the existing lots in the Whitetail Ridge subdivision. An open space buffer may be located between the Whitetail Ridge subdivision and the Hornung Woods sub-area, which could contain stormwater management facilities.

Single-family homes and duplex condominium dwelling units are recommended in the wooded area that is located in the western part of the Hornung Woods sub-area. Preservation of high quality trees should be a high priority in this area for environmental and aesthetic reasons. Since the wooded area is one of the highest points in the entire study area, view protection to this highly visible area is important. Preservation of some trees along the perimeter of the wooded area should be considered as one mechanism for achieving view protection.

- **Low Density Residential 8 to 15 Dwelling Units per Net Acre (LDR 8-15).** The residential density of the LDR 8-15 areas generally should not exceed 15 dwelling units per net acre. It is recommended that development densities in the Hornung Woods sub-area vary, with some areas at the high end and some areas at the low end of the recommended 8-15 dwelling units per net acre range.

Small multiple-family buildings (3-4 dwelling units per building) and medium-sized multiple-family buildings (4-8 dwelling units per building) are recommended in LDR 8-15 areas. Duplexes, attached and detached single-family dwellings may also be appropriate. A limited number of larger buildings (no more than 16 dwelling units per building) may be appropriate in some limited areas. Generally, the largest buildings with the highest development densities should be located closest to Wheeler Road and CTH CV, with smaller buildings and lower densities located in the interior parts of the sub-area.

Buildings in LDR 8-15 areas should be located along street frontages rather than in large clusters that have little or no street orientation. Building placement in relation to the street is a key determinant of a pedestrian-oriented, visually interesting street.

- **Park and Open Space Uses.** The primary park and open space feature in this sub-area is a proposed expansion of Whitetail Ridge Park. The park expansion would allow the construction of playfields to meet the needs of area residents. These playfields would be similar to the existing playfields in Whitetail Ridge Park to provide diverse recreation opportunities in conjunction with other existing and proposed facilities in the existing park (playground, shelter, tennis court, softball diamond, etc.). Landscaping is recommended around the perimeter of the park to help create a visual buffer between the park and new development in the area. A trail connection between the park and the wooded area is also recommended. It may be feasible to construct a trail through the potential stormwater management area in the southeast part of the sub-area. This trail could possibly connect to the Starkweather trail system via an on-street bicycle lane on CTH CV.
- **Special Institutional Uses.** The Burke Utility District No. 1 well is located in the Hornung Woods sub-area. The use of this facility may continue. However, if the well is no longer in operation and the land becomes available for development, this site could be developed with residential uses (LDR 8-15).
- **Hornung Woods Land Use Transitions.** All new dwellings within the Hornung Woods sub-area should be compatible with existing development in the area. For example, four-unit townhouses should be designed to look like large single-family dwellings. New buildings that include facades, roofs, building heights, masses, setbacks and landscaping that are similar to existing development, can be used to achieve a smooth transition between potentially incompatible land uses and buildings.
- **Stormwater Management Facilities.** Stormwater management facilities will be located in the Hornung Woods sub-area. These facilities may or may not be located in public open space areas. The locations of these facilities will be set at the time of land division or final zoning approvals.
- **Transportation System.** The recommended transportation system in the Hornung Woods sub-area is an interconnected, modified grid pattern that includes public streets, on-street bicycle routes, sidewalks and off-street multi-use paths. The recommended street system includes connections to Wheeler Road, Packers Avenue, and Hollow Ridge Road. The street pattern is somewhat flexible as long as the overall objectives for the area are met. These objectives include providing an interconnected street pattern that meets the needs of motorists, bicyclists, pedestrians, and users of transit. A system of pedestrian/bike easements will provide connections between the Hornung Woods sub-area and streets and paths outside of the sub-area. The recommended north-south street extending the existing Hollow Ridge Road to the north will become a newly designated bicycle route.

### ***Cherokee Country Club Sub-Area (3) Recommendations***

The Cherokee Country Club sub-area is located west of North Sherman Avenue and north of the Cherokee Garden Condominiums and Townhomes. This sub-area includes the Cherokee clubhouse and related outdoor recreational facilities. The recommended land uses and planning considerations are summarized below.



- **Residential Uses.**
  - **Low Density Residential Less than 8 Dwelling Units per Net Acre (LDR <8).** Attached residential dwellings, twin homes or small multi-family buildings are recommended in the LDR <8 areas.
- **Cherokee Country Club Uses.** Cherokee Park, Inc. has proposed an expansion of their clubhouse facility. The project may also include construction of a new sales office and parking area. Landscaping and building setbacks should be used to provide a buffer between the clubhouse expansion area and the Cherokee Townhomes to the south.
- **Transportation System.** The existing North Sherman Avenue would provide access to the Cherokee Country Club. On-street bike lanes are planned for North Sherman Avenue. In addition, an off-street path along North Sherman Avenue's east side is recommended, however, if this path must be located along the west side of North Sherman Avenue, a 5-10 foot landscaped buffer between the path and any golf cart paths would be required. Improvements will be determined at the time of development approvals.

### ***Wheeler Triangle Sub-Area (4) Recommendations***

The Wheeler Triangle sub-area is located north of Wheeler Road and west of Comanche Way. Recommended land uses and planning considerations are summarized below.

- **Residential Uses.**
  - **Low Density Residential Less than 8 Dwelling Units per Net Acre (LDR <8).** Single-family attached rowhouses are recommended in this area. The recommended development density in this area is approximately 5 to 7 dwelling units per net acre. New buildings could range in size from two to six units per building. Special care should be taken to provide and maintain a vegetative visual screen between development in the Wheeler Triangle and lands to the north and east. Building designs that are compatible with the existing homes should be a high priority.
- **Environmental Requirements and Regulations.** Development within the Wheeler Triangle will need to meet all applicable environmental corridor, wetland and floodplain setbacks and regulations. The area abuts mapped wetlands and environmental corridors.
- **Open Space Easement.** An open space easement is located within the Wheeler Triangle along the north line of the 120-foot street right of way. No development is allowed within the easement area unless it is approved by the City Council.
- **Stormwater Management Facilities.** A stormwater management facility will likely be constructed within the Wheeler Triangle or on adjacent lands. The exact location and design of this facility will be determined.
- **Transportation System.** Access to the dwelling units would be provided via a cul-de-sac street that would connect to Wheeler Road. Bicycle and pedestrian connections between this site and other areas within the study area are recommended. Bicycle and pedestrian connections between this site and other sub-areas within the study area are recommended to both Wheeler Road and Comanche Way.

- **Unimproved Wheeler Road Right-of-Way.** Currently, an unimproved right-of-way runs through the Wheeler Triangle. The 120-foot wide right-of-way was intended to accommodate a realignment of Wheeler Road, however, the realignment never occurred and is not needed. The right-of-way would have to be vacated before development could occur within its boundaries. If the right-of-way is vacated, a 20-foot wide exclusive sanitary sewer easement would be required to accommodate an existing City of Madison sanitary sewer located in the right-of-way.

### ***Cherokee Park Fifth Addition Sub-Area (5) Recommendations***

The Fifth Addition sub-area is located east of the Yahara River, north of the Cherokee Golf Course, west of North Sherman Avenue and south of the Cherokee Conservation Park North Unit. The Plan recommends low-density residential development (LDR <8) at approximately 5 to 7 dwelling units per net acre. Open space is also recommended in this sub-area. The City is working with Cherokee Park, Incorporated to discuss potential public acquisition of lands within this sub-area as a means of protecting open space, adding lands to the Cherokee Conservation Park, and providing a physical and visual buffer between development and the Park. The exact location of these areas may be adjusted as a result of more detailed planning in the area.

Recommended land uses and planning considerations for this sub-area are summarized below.

- **Residential Uses.**
  - **Low Density Residential Less than 8 Dwelling Units per Net Acre (LDR <8).** Single-family detached or attached dwelling units are recommended within LDR <8 designated lands in the Fifth Addition sub-area. These buildings should not exceed two stories in height in order to avoid negative visual impacts on Cherokee Marsh. Many of the proposed development areas in the Fifth Addition abut recommended open space areas. Whenever possible, vegetative buffers should be provided between new development in the sub-area and the recommended permanent open space areas. Buffers should also be provided along the North Sherman Avenue frontage of the Fifth Addition. In order to protect the natural character of this area, home designs and landscaping should be complementary to their surroundings.
  - **Open Space Uses.** The Plan recommends that a significant portion of the Fifth Addition be permanently protected open space. This area extends from the Yahara River on the west to North Sherman Avenue on the east, and from Cherokee Conservation Park on the north and the Cherokee Golf Course on the south. The City has expressed interest in acquiring some of the recommended open space lands, especially lands in the northern part of the Fifth Addition. The recommended open space provides a buffer between recommended development areas and Cherokee Conservation Park to the north and the Yahara River to the west. Further, the open space lands provide a direct linkage between Cherokee Marsh and adjacent undeveloped lands. The recommended open space areas include uplands, wetlands, and woodlands. Some upland open space areas could be restored to prairie/oak savanna. The City may require a fence between open space areas and adjacent development. A transitional vegetated buffer could be provided between development and the fence as a means of softening the visual impact of the fence on residential lots. Active recreation facilities are not recommended in these open space areas.

- **Environmental Requirements and Regulations.** The area includes mapped wetlands, environmental corridors, and shorelands. Development within the Fifth Addition will need to meet all applicable environmental corridor, wetland, floodplain, and shoreland regulations.
- **Stormwater Management Facilities.** Stormwater management facilities will be located in the Fifth Addition. These facilities may or may not be located in public open space areas. The locations of these facilities will be set at the time of land division or final zoning approvals.
- **Transportation System.** A looped local street network is recommended in the Fifth Addition. This street network would provide access to the sub-area from N. Sherman Avenue. A paved emergency access path is proposed to connect the Fifth Addition street system to Burning Wood Way in the Cherokee subdivision's Fourth Addition. This connection is necessary because the Fifth Addition is located at the end of a long cul-de-sac. The path would be a multi-use facility that would become an on-street facility as it passes through the Fifth Addition. The on-street route would connect to a proposed path along North Sherman Avenue.

### ***High Hill Sub-Area (6) Recommendations***

The High Hill sub-area is located east of the Fifth Addition. The City's Comprehensive Plan includes the following note for this area: "It is recommended that there be no additional development on the top portion of this hill. Future development may be allowed around the lower portions of this hill only if such development is done with sensitivity to the topography in a manner that preserves open space and the view to the hill from surrounding properties, and provides adequate vegetative buffers from the existing park property." The recommended land use pattern is consistent with the note in the Comprehensive Plan. The SAP recommends a combination of single-family residential dwellings and open space. Open space could be preserved through the purchase of conservation easements that would prohibit development at some locations.

- **Residential Uses.**
  - **Low Density Residential Less than 8 Dwelling Units per Net Acre (LDR <8).** Single-family detached dwelling units are recommended within LDR <8 designated lands in the High Hill sub-area. The recommended net density range is approximately 5 to 7 dwelling units per acre. The dwelling units are recommended at the base of the west, southwest, and sides of the High Hill. It is recommended that this development be done with sensitivity to the topography in a manner that preserves open space and the view to the hill from surrounding properties, and provides adequate vegetative buffers from the existing park property.

There is a golf course maintenance building located at the southeast corner of the High Hill. This area may be converted to residential development if the maintenance building is relocated. The Airport's runway protection area passes through this area. Residential development is restricted within the runway protection area.

- **Open Space Uses.** Permanent open space is recommended to the north, south, east, and west of the recommended development area. The open space could be protected by the public acquisition of conservation easements that prohibit development on these lands.
- **Environmental Requirements and Regulations.** Development within the High Hill will need to meet all applicable environmental corridor, wetland, floodplain, and shoreland regulations.
- **Transportation System.** Development in this sub-area would take access from a proposed looped street and cul-de-sac that would connect to North Sherman Avenue. An off-street path is recommended along the east side of North Sherman Avenue.

### ***Recommended Transportation Facilities***

In addition to the transportation system recommendations for the six core planning sub-areas, additional analysis and recommendations are provided below:

It is recommended that Sherman Avenue have an urban cross section from Wheeler Road to the north edge of the Cherokee Country Club clubhouse.

### **Preliminary Traffic Review**

The traffic consultant for Cherokee Park, Schreiber Anderson Associates (SAA), has developed a preliminary traffic review of the proposed development area. The proposed Cherokee Park development is estimated to generate approximately 600 peak hour trips and 7,500 vehicles per day. This traffic is estimated to be distributed over the surrounding street system in various directions. Public acquisition of potential development areas could result in less peak hour trips and vehicles per day due to fewer dwelling units than are assumed in this Preliminary Traffic Review.

While there is no physical connection to Comanche Way from the proposed development, it is estimated that an additional 40 vehicles per day will be generated on Comanche Way at Wheeler Road, depending on the development of the parcel called the "Wheeler Triangle." It is estimated that an additional 350 vehicles per day will be generated on Wheeler Road west of North Sherman Avenue. Currently, the intersection of Comanche Way and Wheeler Road is a two-way stop controlled intersection, with stop signs on Comanche Way. There have been no reported crashes at this intersection for the last five years (years 2001-2005) per WisDOT data and Madison Police Department records. The intersection is also the location of an adult school crossing guard on the east leg of Wheeler Road, for the Gompers and Blackhawk schools. Approximately 30-50 students cross at this location in the morning and afternoon. Additional information on this school crossing is available from the Traffic Engineering Division.

Current volumes on Comanche Way are approximately 2,300 vehicles per day and on Wheeler Road 4,800 vehicles per day (year 2004). Given the small estimated increases in traffic on both Comanche Way and Wheeler Road, it is expected that intersection operations would not change substantially. A preliminary multi-way stop analysis for all-way stops at this intersection indicates the intersection falls short of the standards required by the industry standard *Manual of Uniform Traffic Control Devices* (MUTCD) for an all-way stop sign, under both existing and development-added traffic. The intersection falls approximately 40% below the standard. In a separate process with the neighborhood and alderperson, traffic-calming islands have been

proposed along this section of Wheeler Road, and specifically at the intersection of Comanche Way and Wheeler Road. The proposed traffic calming islands would help pedestrians cross the street and make traffic more regulated at this intersection. Those islands are still pending installation until further review by the neighborhood and the alderperson. As traffic volumes increase along Wheeler Road, further monitoring of this intersection is recommended to review potential changes to traffic control.

The intersection of North Sherman Avenue and Wheeler Road is one of the intersections most affected by the proposed Cherokee Park, Inc. development proposal. The proposed development is estimated to add approximately 2,500-3,000 vehicles per day at this intersection. Current volumes are in the 5,000-vpd range. This intersection is currently controlled with all-way stop signs, these being installed in 1996. The average number of crashes at the intersection is a little less than two reported crashes per year (0 in 2005; 1 in 2004; 4 in 2003). The Wheeler Road-Sherman Avenue intersection has a street width that can accommodate three traffic lanes, allowing for a separate left lane and a shared through and right lane on each of the approaches. The intersection has a fair amount of reserve capacity to accommodate additional traffic, including the amount estimated with the subject development. A longer-term plan for this intersection is to reconstruct it as a single-lane roundabout, such that capacity, operations and safety would be enhanced. It is planned to require additional right-of-way from the parcels along this corner to provide for future reconstruction if and when the City pursues such reconstruction. In the interim, the all-way stop intersection should adequately and reasonably control and accommodate traffic for many years to come.

Another intersection of interest is Wheeler Road and County Trunk Highway CV. County Trunk Highway CV is a Dane County jurisdiction roadway such that reconstruction would have to be coordinated and funded by Dane County. The City of Madison has an interest to reconstruct this intersection for additional capacity needs for not only this development but also the larger area as a whole. Alternative options for the intersection are traffic signals with exclusive left-turn lanes on all approaches, or an alternative of a roundabout. The alignment of CTH CV is of concern such that the curve along the intersection should be revised to accommodate a better and safer intersection. Additional right-of-way needs would be required with the development. Additionally some funding for this intersection may require special assessments of the surrounding properties that benefit.

The street section of North Sherman Avenue from Wheeler Road to Northport Drive (a.k.a STH 113) is also an area of interest for traffic. Currently, North Sherman Avenue south of Wheeler Road carries approximately 5,000-8,000 vehicles per day, the exact volume depending on its distance from Northport Drive. The project is expected to add approximately 2,500-3,500 vehicles per day to N. Sherman Ave. These future volumes are still consistent with a street like Sherman Avenue and a street that would require really only one lane in each direction plus some left-turn lanes at specific intersections. Additional traffic calming options and marking and signing are suggested on North Sherman Avenue in the future to provide for safer, slower and multi-modal (bicycle lanes) accommodations on the street. It is suggested that a special earmark of approximately \$20,000 from the Cherokee development be required and allocated to North Sherman Avenue for this purpose. The specific design of North Sherman Avenue would be developed after further neighborhood meetings with the residents and alderperson.

The intersection of North Sherman Avenue and Northport Drive (STH 113) is another area of interest for traffic and transportation. A deliberate and specific engineering design review should be conducted at the intersection of North Sherman Avenue and Northport Drive to look at potential options and right-of-way available to pursue reconstruction. In the future, Wisconsin

DOT and the City may be reconstructing Northport Drive/STH 113. This could enable the possibility of looking at the intersection for additional measures for all users, including motorists, bicyclists and pedestrians as well as transit.

### **Recommended Pedestrian-Bicycle Facilities**

All new streets in the City are required to have sidewalks on both sides of the street. Bicycle facilities in the Cherokee Special Area Plan study area include both off-street and on-street facilities. Any off-street pedestrian/bike paths would need to be separated by a five to ten-foot wide landscaped buffer from any planned golf cart path. Separation of these two facilities is needed. Recommended bicycle facilities include:

- An off-street path connection between the Wheeler Triangle and Comanche Way;
- An off-street path and on-street bike facility connection between the Hornung Woods woodlot and Gompers and Blackhawk schools;
- An off-street path connection between the Hornung Woods and Whitetail Ridge Park;
- An off-street path along North Sherman Avenue, north of Wheeler Road;
- An off-street path between Wheeler Road and Menomonie Lane;
- An off-street path between Burning Wood Way and the Fifth Addition;
- An off-street path and on-street route through the Fifth Addition;
- An off-street and on-street east-west route through the Hornung Range area;
- A designated on-street bicycle route on the proposed north-south street that would connect the Hollow Ridge Road to the Hornung Range sub-area.
- A new east-west public pedestrian/bike easement is needed to connect to North Sherman Avenue and extend to the east to the new north-south public streets planned in the Hornung Woods sub-area.

Additional pedestrian/bicycle facilities are recommended to provide connections external to the study area. These include the following:

- Connecting Comanche Way and Wheeler Road, including Blackhawk and Gompers Schools, to Northport Drive and Warner Park. This would be via the local street system from Wheeler Road to Troy Drive and Northport Drive. A pedestrian/bike easement through the existing PDQ site needs to be acquired and constructed to provide the physical connection to Northport Drive and the existing traffic signal at Troy Drive to make this north-south street connection a reality and connect the Cherokee area to important activity centers in a pedestrian/bicycle friendly manner.
- Connecting North Sherman Avenue, including the Cherokee Marsh Park and the Hornung Range, to CTH CV via Dennis Drive extended to County Trunk Highway CV and the Canadian Pacific rail line. While there are no current plans for a regional bike path along the rail line, these types of facilities are likely to become of more interest in

the future to connect this area to lands to the northeast such as DeForest, the Token Creek Park and other regional trails having potential there in the future.

### **Recommended Transit Facilities**

Metro currently provides route service along Wheeler Road between Packers/CTH CV and North Sherman, but does not presently have any bus stop locations. Development of sub-areas 1 & 2 (Hornung Range/Woods) should include accessible bus stop locations on Wheeler Road as part of the street upgrades (i.e. sidewalks, concrete passenger boarding pads).

Any traffic calming or intersection controls proposed (i.e. traffic circles, pedestrian islands) should be designed in consultation with Metro Transit to avoid conflicts with bus stop locations or bus turning movements.

The lack of a street connection between the existing northern terminus of Burning Wood Way and sub-area 5 (5th Addition) on the west side of Sherman Avenue creates a cul-de-sac of over a mile in length to access this part of the neighborhood by vehicle, including buses. Provision of bus service would require a route deviation of over two miles to travel up and down North Sherman Avenue to access these residences. With the exception of any required supplemental school day service to Blackhawk middle school or East High School, extension of transit service beyond the current routing patterns is not anticipated.

### **Recommended Park and Open Space Improvements**

A significant amount of land within the Cherokee Special Area Plan study area is recommended to be permanently protected open space. These lands include the large marshland area east of North Sherman Avenue and north of the Hornung Range; uplands, woodlands and wetlands in the Fifth Addition; and lands within the High Hill sub-area. Public fee simple acquisitions, acquisitions of conservation easements, and parkland dedications are potential mechanisms for protecting open space in the Cherokee Special Area Plan study area. The Cherokee Special Area Plan reiterates the recommendations of the 2005 City of Madison Parks and Open Space Plan. Cherokee Marsh is designated as a conservation park for the environmental benefits it provides. The City's Parks and Open Space Plan recommends continued land acquisition to protect this very valuable natural resource. Continuing intergovernmental and private cooperation to plan and expand public ownership of marshlands and other open space areas will require participation by the state and federal government and possibly private organizations.

A high priority has been placed on a detailed study of groundwater resources and restoration of groundwater and surface water levels to protect the State Natural Area in the eastern part of the marsh. Work is underway to close drainage ditches in this area. Work is also being done to restore emergent wetland communities along the widespread of the Yahara River adjacent to city property. The Cherokee Marsh Long Range Open Space Plan and the Cherokee Marsh Conservation Park Master Plan recommend public access and other facilities in the southern portions of this park. Recreational uses such as skiing, jogging, picnicking, day camping and boating need to be concentrated in the Wheeler Road area to avoid conflicts with environmental education programming in the North Sherman Avenue part of the park. Continued efforts are required to link City lands in the Cherokee Marsh with a pedestrian/bike trail system along the Yahara River, from Lake Mendota to the northern portion of this conservation park.

Two neighborhood parks are recommended in the Cherokee Special Area Plan study area. The first park is a northern extension of Whitetail Ridge Park. This park would include playfields and landscaping. A new park is recommended in the Hornung Range sub-area. This park should be designed to provide access to the proposed trail system in the area. Potential facilities in the park include a playground, benches, and possibly a small shelter.

Greenspace buffers and stormwater management facilities are proposed within the study area. The exact location and width of these features will be established at the time of subdivision or final zoning approval. Bicycle/pedestrian trails may be provided within these areas.

## ***Recommended Utility Improvements***

### **Public Wastewater System**

Sub-areas 3 and 4 have existing gravity sanitary sewer readily available. Sub-area 4 has an existing 21-inch diameter sewer that bisects the plan area. Final planning of this area must preserve the sewer in its existing location or provide for suitable relocation at the developer's expense. Sub-areas 1 and 2 have existing gravity sanitary sewer readily available. However, the existing downstream Town of Burke sewer has limited capacity of 400 to 480 dwelling units. Present and excess capacity will need to be confirmed and if needed, an additional or larger sewer may need to be installed to accommodate full development of these areas. Sub-areas 5 & 6 will need a sanitary sewer lift station and force main for sewer service. The force main may be able to connect to another existing force main approximately 1800 feet away.

### **Public Water Supply**

Development in the Cherokee Special Area Plan study area will be served by the Madison Water Utility's Well 13 and a water reservoir located at the southeast corner of Wheeler Road and Delaware Boulevard. The timing and locations of new facilities is a function of development pressure within a certain area in conjunction with the Utility's adopted master plan to develop a capital improvement program that meets the area's demands. If the capacity of Well 13 reaches maximum levels, the Madison Water Utility's Well 7, which is located along Sherman Avenue, could be used to provide more capacity. A new 12-inch water main would need to be run along North Sherman Road from Wheeler Road to the Fifth Addition. This main would then be looped with water mains in the Fourth Addition.

If operation of the Burke well is transferred from the Burke Utility District to the City of Madison, the Burke well would be abandoned due to its high operating and maintenance costs in relation to the amount of water it provides to development.

### **Stormwater Management**

All sub-areas will operate mostly independently for stormwater management. Sub-area 1 and part of Sub-area 2 drain towards Packers Avenue and eventually Starkweather Creek and Lake Monona. Sub-area 3 can tie in to existing drainage facilities within the golf course and may also need to accommodate some street runoff from North Sherman Avenue. Near or within Sub-area 4, residents have reported local flooding problems from a nearby storm sewer under Comanche Way. This shall be addressed in conjunction with the stormwater management plan for this area. The treatment areas for Sub-area 4 could be installed on adjacent downstream lands, provided they are not within wetlands. Both Sub-areas 4 and 5 are closely tied to the elevation of the



Yahara River and Lake Mendota. Design precautions must protect any proposed development from flooding caused by backwater elevation of Lake Mendota. In general, the City will recommend the full 75-foot buffers adjacent to all wetlands and that these buffers be in public ownership or public easement, not part of any building lot. Detailed engineering and stormwater management plans will be submitted by the developer as part of the preliminary plat and final plat submittals. Final approval shall assure compliance with all City, County and State requirements including infiltration of runoff where applicable. The Developer has already committed to a design goal to provide infiltration areas for up to 8 inches of recharge in upland areas.

### ***Development Staging***

All sub-areas can develop mostly independent of one another from the standpoint of both sanitary sewer and stormwater management. Sub-area 1 (Hornung Range) is not presently within the Central Urban Service Area, and could not be scheduled for development prior to being incorporated into the CUSA. Sub-area 4 (Wheeler Triangle) is dependent on a street vacation process. The reading should refer to **Map 10-Development Staging** for more information.

## **Plan Implementation**

The Cherokee Special Area Plan was prepared in response to a proposal by Cherokee Park, Inc. to develop some of its holdings in the Cherokee Marsh area. The City of Madison's Comprehensive Plan provides general recommendations for this area, while the Cherokee Special Area Plan provides more detailed land use, transportation, utility and other recommendations. The SAP is intended to guide the City's Common Council, Plan Commission, other boards and commissions, and the general public as they review development proposals in the six core planning sub-areas.

### ***Comprehensive Plan Supplement and Amendment***

Lands within the Cherokee Special Area Plan study area are included within the broad recommendations of the City of Madison Comprehensive Plan. To provide the detailed land use recommendations needed to guide future development at specific development locations, the Comprehensive Plan recommends that significant changes in land use from existing conditions must be consistent with the recommendations of a City-adopted special area plan, neighborhood plan, or neighborhood development plan. The land use and design regulations of the special area plan should be consistent with the recommendations of the Comprehensive Plan, but generally should be more specific regarding the types of land uses recommended at particular locations within the area, the recommended development density, and any recommended design standards or guidelines applicable to the location.

The Cherokee Special Area Plan should be adopted by resolution as a supplement to the Comprehensive Plan. When adopted by the Common Council, the SAP will be used by the City to help make development-related decisions. If the SAP includes recommendations that differ significantly from those of the Comprehensive Plan, an amendment of the Comprehensive Plan may be necessary in order to avoid inconsistencies between the two documents. Such an amendment could be made as part of the annual Comprehensive Plan review and evaluation. As part of the annual review and evaluation, the Plan Commission may, if it chooses, recommend proposed amendments to the Comprehensive Plan for formal consideration by the Common Council. Any such proposed amendments will be reviewed and considered following the process and procedures required for preparation and adoption of a comprehensive plan; and if adopted, will be incorporated into a revised Comprehensive Plan document. While it is important that the Comprehensive Plan remain current, it is not intended that it be amended frequently just to make relatively minor, non-substantive changes. In general, it is recommended that amendments to the Comprehensive Plan be proposed or considered only during the established annual review and evaluation period, except as may be required from time-to-time to maintain consistency with other newly-adopted or amended City plans.

### ***Central Urban Service Area Amendment***

All lands within the six core planning sub-areas are located within the Central Urban Service Area, with the exception of the Hornung Range. In order for the City of Madison to provide public sanitary sewer and the full range of urban services to future development in the Hornung Range sub-area, the lands must first be added to the Central Urban Service Area.

Following adoption of the Cherokee Special Area Plan as a supplement to the City of Madison's Comprehensive Plan, it is recommended that the City of Madison prepare and submit to the Dane

County Community Analysis and Planning Division (DCCAPD) or its successor agency an application to add the Hornung Range sub-area to the Central Urban Service Area.

## **Zoning**

The lands within the Cherokee Special Area Plan study area are located in one of three jurisdictions: the City of Madison, the Town of Burke, or the Town of Westport. Lands within the City of Madison fall under the general provisions of the City's zoning ordinance. Lands in Westport and Burke fall under the jurisdiction of the Dane County zoning ordinance. Several residential zoning districts apply to some lands within the City of Madison. Further, some areas are zoned wetland, conservancy or agriculture. Lands within the Towns are zoned in various districts, including agriculture, recreation, commercial/business and residential.

In January 2004, the City of Madison adopted an inclusionary zoning ordinance (IZ) that created an inclusionary zoning program. The program strives to increase the availability of the range of housing choices for families of all income levels in all areas of the City. The IZ ordinance does not apply to rental units.

It is recommended that all lands within the Cherokee Special Area Plan be zoned to conform to the land use recommendations of the adopted Plan. These lands should be rezoned based on the provisions of a pre-annexation agreement(s) between developers and the City of Madison.

## **Land Division Regulations**

Most of the future developable lands within the sub-areas will need to be subdivided into smaller parcels before they are developed with urban uses. As lands are divided and developed, the City will be able to implement many of the Cherokee Special Area Plan recommendations. Land subdivisions establish the location of public streets, parks, greenways, trails, and stormwater management facilities. The land required for these purposes will be acquired through dedications as provided in the subdivision regulations. The spatial relationships between the proposed streets, parks and other land uses illustrated in the Cherokee Special Area Plan reflect important planning principles and these relationships need to be maintained as the land is developed if these principles are to be realized. Subdivision of land also establishes the size and arrangement of individual development parcels. Proposed land divisions will be reviewed to ensure that the Special Area Plan recommendations regarding the provision of a variety of residential housing types, sizes, and densities are implemented. Proposed subdivisions may be required to provide information showing how the lots may be developed with building designs that create a desired street character.

It is recommended that future subdivisions within the Cherokee Special Area Plan study area conform to the recommendations of this Plan, particularly regarding the location of proposed arterial and collector streets; area and neighborhood parks; environmental corridors; stormwater facilities; and building lot dimensions that will help facilitate the development of a variety of housing types and densities. It is further recommended that local streets within future subdivisions either generally conform to the pattern of local streets shown in the SAP, or otherwise reflect the objectives illustrated on the Recommended Land Use maps (**Maps 9, 9A, 9B, and 9C**) regarding circulation and provision of multiple travel routes, access to parks, orientation of streets to visual features, and stormwater drainage.

## ***Official Map***

The City of Madison Official Map is used to reserve rights-of-way and other sites for specified future public uses until such time as they are required through dedication or other means. The Official Map should be revised to include all arterial and collector streets, as recommended in this Plan. Recommended stormwater areas, parks and environmental corridors should also be added to the Official Map. The 120-foot right-of-way in the Wheeler Triangle will need to be vacated before development can occur.

## ***Capital Improvement Program and Budget***

The SAP proposes several types of public improvements and facilities for which public funds may be required. Public improvements and facilities that might require some public funding include acquisition of land or conservation easements in recommended open space areas; construction of parks; construction of streets, stormwater management facilities, sanitary sewer facilities, water distribution facilities, and similar improvements. Implementation of some of the public improvements recommended in the SAP may also require participation and cost sharing by other units of government.

It is recommended that the responsible City departments include within future capital improvement programs and the capital budget those public improvements and facilities for which public funding is required to implement the SAP. It is further recommended that the City continue to work cooperatively with other agencies and units of government to seek their participation in the development planning and the costs of public improvement projects of mutual benefit recommended in the plan.

## ***Annexation Policy***

The orderly development of lands within the study area will require extension of public utilities and improvements and provision of the full range of urban services. It is intended that the City of Madison provide the full range of urban services to developing properties within the area, as recommended in the Comprehensive Plan:

An annexation agreement between the City of Madison and Cherokee Park, Incorporated establishes the ultimate jurisdiction (City of Madison) of study area lands located within the towns of Burke and Westport. It is recommended that urban development on lands currently outside the City of Madison occur only following their annexation to the City of Madison. It is also recommended that no subdivisions be approved by the City of Madison unless there is an assurance that the full range of urban services will be provided at the time of such approval.

## ***Interagency Cooperation***

The Cherokee SAP will provide a mechanism to coordinate the activities of various City agencies and other units of government in the implementation of the Plan. It is recommended that the City of Madison work with appropriate agencies and other units of government to fully implement the Cherokee SAP.

**Draft Burke, DeForest, Sun Prairie, Madison Cooperative Plan**

The Town of Burke has been fragmented by prior annexations to the Village of Maple Bluff, Village of DeForest, City of Sun Prairie, and the City of Madison. Potential and future annexations to DeForest, Sun Prairie and Madison make uncertain the long-term viability of the Town as a separate governmental entity. The draft Cooperative Plan, if approved, would resolve potential disputes over Burke territory, preserve Burke's viability, while it remains a Town and provide an orderly transition of territory to DeForest, Sun Prairie, and Madison.

Specifically, the intergovernmental agreement would attach lands within the Town of Burke to the Village of DeForest, City of Sun Prairie, and City of Madison at the end of the agreement. These attachments could create town islands, which are typically not permitted by Wisconsin statutes. Property in "Protected Areas" would remain in the Town until attachment at the end of the agreement.

The portion of the Town of Burke lands that is included in the study area would be transferred to the City of Madison under the Cooperative Plan at the end of the agreement. These lands are not designated as "Protected Areas", therefore, the properties could attach to the City of Madison if the City approves the request. In any case, all of the Town lands within the study area will be attached to the City per the timeline in the agreement.

## **Appendix**

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### ***City of Madison Comprehensive Plan Land Use Recommendations***

#### **Low Density Residential**

The Low Density Residential (LDR) designation includes a recommended net residential density range of 0 to 15 dwelling units per acre. Single-family, duplex, small multiple-family buildings, and in some cases, buildings with more than four dwelling units are recommended in the LDR district. Small commercial areas may also be permitted in the LDR districts. Other potential uses in this district include parks and recreational facilities; community gardens; elementary schools; small civic facilities such as libraries or community centers; places of assembly and worship; neighborhood-serving retail and service uses (especially those in small mixed-use buildings); and small offices.

In general, higher density housing types within LDR districts should be located near Mixed-Use districts or other more intensively developed areas, with a transition to smaller buildings such as duplexes and single-family detached houses as the distance from the more intensively developed areas increases. Specific locations for non-residential support uses within LDR districts, as well as more-detailed planning or design standards, should be included in neighborhood or special area plans.

Low Density Residential uses are recommended in the Cherokee Park plat, the Whitetail Ridge plat, the Sherman Village plat, the proposed Cherokee Park 5<sup>th</sup> Addition and "High Hill" areas, lands north of Wheeler Road and east of North Sherman Avenue (Hornung Range area), and the "Hornung Woods" area, which is located east of North Sherman Avenue, south of Wheeler Road, north of the Whitetail Ridge subdivision and west of CTH CV.

The "High Hill" area includes a Comprehensive Plan note that states: "It is recommended that there be no additional development on the top portion of this hill. Future development may be allowed around the lower portions of this hill only if such development is done with sensitivity to the topography in a manner that preserves open space and the view to the hill from surrounding properties, and provides adequate vegetative buffers from the existing park property." The Plan Commission and Common Council approved this note when they adopted the City of Madison Comprehensive Plan. The note is carried over into the Cherokee SAP.

#### **Medium Density Residential**

Many of the location, design and land use types in the MDR district are similar to those in the LDR district. The Medium Density Residential district recommends a net residential density range of 16 to 40 dwelling units per acre. Areas designated MDR are recommended locations for multiple-family housing types such as larger apartment buildings and apartment complexes. Nonresidential uses, such as but not limited to small commercial uses, parks and elementary schools, may be allowed in MDR areas provided they are included in an adopted neighborhood or special area plan.

Lands within the Cherokee SAP study area that are designated MDR include the Cherokee Townhomes, which are located west of North Sherman Avenue and north of Wheeler Road, and the Cherokee Garden Condominiums and Townhomes, which are located south of Wheeler Road and west of North Sherman Avenue. These areas are developed with multiple-family dwellings.

## **Employment**

The Comprehensive Plan recommends Employment uses for the area east of CTH CV and south of Eggendart Drive to the mobile home park. Employment districts are recommended as predominantly office, research and specialized employment areas, and generally do not include retail and consumer service uses serving the wider community. Limited retail and service establishments primarily serving employees and users of the district are encouraged.

## **Industrial**

The Comprehensive Plan recommends Industrial uses for the Dovetail subdivision industrial area and the adjacent industrial and heavy commercial area to the north. Industrial districts accommodate typical industrial and manufacturing uses, including some "nuisance" uses not appropriately located in proximity to residential or many types of nonresidential activities due to noise, odor, appearance or traffic impacts for example. The district is not intended for retail or office uses not related to an industrial use, except for limited retail goods services provided primarily to employees and users of the district. Compared to the Employment district, factors that distinguish an Industrial district include a relatively smaller workforce (for a given area), and emphasis on truck or rail traffic, and characteristics such as outdoor work areas and outdoor equipment and materials storage.

## **Neighborhood Mixed-Use District**

Neighborhood Mixed-Use (NMU) districts are the recommended locations for clusters of relatively small convenience shopping and service uses that serve as activity centers and gathering places for the surrounding neighborhoods or districts. NMU areas typically form activity centers located along relatively important streets within or adjacent to residential districts. Low Density Residential-type housing units and mixed-use buildings are also potential uses in NMU districts. The City of Madison Comprehensive Plan provides detailed recommendations and design characteristics for NMU districts.

The Comprehensive Plan recommends a small NMU district at the southwest corner of the Wheeler Road/CTH CV intersection. The location and size of this NMU district is purely conceptual.

## **Park and Open Space District**

Park and Open Space districts make up a large part of the study area. These areas are primarily associated with Cherokee Marsh and the Cherokee Country Club golf course. The Park and Open Space districts identify areas recommended for public parks, some types of public and private outdoor recreational facilities, conservation areas, some stormwater management drainageways and detention areas, cemeteries, and similar uses that have an open space character and are not recommended for eventual development with more intensive uses.

## **Special Institutional District**

The Comprehensive Plan designates Gompers Elementary School and Blackhawk Middle School as Special Institutional districts. The Special Institutional district is intended to identify current or recommended locations for high schools and middle school and relatively large places of assembly and worship. The designation is sometimes used to identify smaller institutional uses, such as an elementary school, to help provide orientation for other mapped land uses.

## **Maps 1-10**

**Map 1: Study Area**

**Map 2: Municipal Jurisdictions**

**Map 3: Property Ownership**

**Map 4: Existing Land Use**

**Map 5: Existing Zoning Districts**

**Map 6: Natural Features**

**Map 7: Existing Transportation Facilities**

**Map 8: Other Planning Considerations**

**Map 9: Recommended Land Use**

**Map 9a: Recommended Land Use –Sub-Area 1, 2, 3**

**Map 9b: Recommended Land Use-Sub-Area 4**

**Map 9c: Recommended Land Use-Sub-Area 5, 6**

**Map 10: Development Staging**

## **Appendix Maps 1-5**

**Appendix Map 1: Comprehensive Plan-Generalized Future Land Use Plan**

**Appendix Map 2: Public Wastewater System**

**Appendix Map 3: Public Water Supply**

**Appendix Map 4: Stormwater Management**

**Appendix Map 5: 2004 Traffic Volume**