

## PLANNING DIVISION STAFF MEMO

November 27, 2023



PREPARED FOR THE PLAN COMMISSION

**Address:** 4115 Maple Grove Dr (District 7 – Alder Wehelie)

**Legistar File ID #** [80795](#)

**Prepared By:** Colin Punt, Planning Division

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Plan Commission:

This proposed resolution requests the release of 40-foot “No Building Area” imposed on land currently known as Lot 2 of Certified Survey Map 16222, which is addressed 4115 Maple Grove Drive. The “No Building Area” was applied to the subject property with the final plat of Nesbitt Valley in 2001 adjacent to a separate 40-foot Planting Strip that extends north from the right of way of Nesbitt Road. Together, the 40-foot “No Building Area” and 40-foot Planting Strip effectively create an 80-foot building setback line parallel to Nesbitt Road affecting the subject property. The aforementioned final plat of Nesbitt Valley includes a note stating that “Upon final platting of Outlots 5 and/or 6 as developable lots, the City of Madison Common Council may reduce in width the 40 foot no-build/no-improvement zone based upon the approval of an exemplary berming, landscaping and building siting plan at the time of approval of the final plat.” The subject site is comprised of portions of Outlots 5 and 6 of said plat. The current owner of the subject property has recently been in discussions with City staff regarding the development of the site with a 3-story, 20-unit multi-family residential building. In order to more fully develop the site, the owner is requesting that the 40-foot No Building Area on the subject site be released, leaving just the 40-foot Planting Strip. The owner has presented a landscaping plan for the lot that shows how the property would be planted following construction of the planned multi-family dwelling. Staff from Planning Division has reviewed the landscaping plan and believe that it meets the criteria established by the plat note, and that the 40 feet of the effective 80-foot building setback can be released. If approved, a release document shall be drafted in a format reviewed and approved by the City of Madison Office of Real Estate Services and Attorney’s Office prior to final execution and recording with the Dane County Register of Deeds.