



Project Address: Westwind Subdivision – 149 Wisteria Street, Generally
Application Type: Zoning Map Amendment
Legistar File ID # [87597](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicant & Property Owner: Jack McKenzie, Westwind Madison, Inc.; 9201 Waterside Street; Madison.

Requested Action: Consideration of a request to rezone Lots 1–70 and Outlots 1–5 of *Westwind* subdivision from SR-C2 (Suburban Residential–Consistent 2 District) to TR-C3 (Traditional Residential–Consistent 3 District). [The address 149 Wisteria Street is one of the parcels to be rezoned. For brevity, all of the addresses in the rezoning request were not listed. The legal description in Ordinance ID 87597 includes all of the lots and outlots to be rezoned with this request.]

Proposal Summary: The applicant is requesting for the existing and future lots in the *Westwind* subdivision to be rezoned to a single-family zoning district with less restrictive bulk/dimensional requirements than the existing district. The final plat of the first phase of *Westwind* was recorded in 2023; construction of residences in the development is ongoing.

Applicable Regulations & Standards: Section 28.182 of the Zoning Code provides the process for zoning map amendments. The dimensional requirements of the Suburban Residential–Consistent 2 (SR-C2) District are found in Section 28.036 of the Zoning Code; the dimensional requirements of the proposed Traditional Residential–Consistent 3 (TR-C3) District are found in Section 28.044.

Review Required By: Plan Commission and Common Council

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and forward Zoning Map Amendment ID 28.022–00709, rezoning Lots 1–70 and Outlots 1–5 of *Westwind* subdivision from SR-C2 to TR-C3, to the Common Council with a recommendation of **approval** subject to input at the public hearing. No conditions of approval are recommended for this rezoning request.

Background Information

Parcel Location: Approximately 52.4 acres of land located in the northeastern quadrant of Mineral Point Road and Pioneer Road; Alder District 9 (Pritchett); Middleton-Cross Plains Area School District.

Existing Conditions and Land Use: Most of the land to be rezoned is undeveloped, zoned SR-C2 (Suburban Residential–Consistent 2 District). The construction of approximately a half-dozen single-family residences has commenced following completion of Phase 1 subdivision improvements in 2024.

Surrounding Land Use and Zoning:

North: Existing and future single-family residences in the Eagle Trace subdivision, zoned TR-C3 (Traditional Residential–Consistent 3 District);

South: Undeveloped land across Mineral Point Road in the Town of Middleton;

East: Undeveloped land owned by the Town of Middleton (in the City of Madison), zoned A (Agricultural District); land for future development, zoned SR-V2 (Suburban Residential–Varied 2 District), TR-V2 (Traditional Residential–Varied 2 District), TR-U1 (Traditional Residential–Urban 1 District), and PR (Parks and Recreation District) as part of the *Herrling Property Subdivision* preliminary plat;

West: Single-family residences in the Spruce Hollow subdivision and West Middleton Lutheran Church across Pioneer Road; single-family residence and agricultural land on the east side of Pioneer Road; West Middleton Lutheran Church cemetery on a one-acre parcel located at the northeastern corner of Mineral Point and Pioneer Roads, all in the Town of Middleton.

Adopted Land Use Plans: The 2023 [Comprehensive Plan](#) recommends the subject site and neighboring properties in the City of Madison for Low Residential (LR).

The 2018 [Elderberry Neighborhood Development Plan](#) recommends that the *Westwind* subdivision be developed as Residential Housing Mix 1 (HM1), which is primarily planned for single-family detached residences not to exceed eight units per acre. However, the subject site is restricted to a maximum density of four units per acre pursuant to the 2003 *Final City of Madison and Town of Middleton Cooperative Plan*; that density restriction is reflected in the neighborhood development plan.

Environmental Corridor Status: The environmental corridor map shows the general location of the stormwater management and parkland parcels planned for the subdivision within mapped environmental corridor.

Public Utilities and Services: The site will be served by a full range of urban services as it develops. However, Metro Transit does not currently provide service west of Pleasant View Road.

Previous Approvals

On June 11, 2019, the Common Council approved a request to rezone 141.8 acres of land generally addressed as 10250 Mineral Point Road from Temp. A (Agricultural District) to SR-C2 (Suburban Residential–Consistent 2 District), SR-V2 (Suburban Residential–Varied 2 District), TR-V2 (Traditional Residential–Varied 2 District), TR-U1 (Traditional Residential–Urban 1 District), and PR (Parks and Recreation District); and approved the preliminary plat of *Herrling Property Subdivision*, creating 129 lots for single-family detached residences, seven lots for future townhouse/rowhouse development, ten lots for the future apartment development, one outlot to be dedicated to the public for parkland, and 11 outlots for public stormwater management.

On April 22, 2020, a Certified Survey Map to create two outlots for future development from the 141.8-acre *Herrling* property was administratively approved by the Secretary of the Plan Commission. The Common Council approved a resolution for the CSM on April 21, 2020. Approval of the two-outlot CSM was conditioned on the outlots being subdivided and developed in accordance with the preliminary plat of *Herrling Property Subdivision* and any conditions of its approval, including all dedications to the public required to serve the future development. The land division was recorded as CSM 15568 on December 23, 2020. The *Westwind* subdivision is Outlot 2 of that CSM.

On August 3, 2021, the Common Council approved the final plat of *Westwind*, creating 70 single-family lots, four outlots dedicated to the public for stormwater management, and one outlot for future development on land

generally addressed as 10554 Mineral Point Road. The final plat comprises 127 of the single-family residences approved with the preliminary plat of *Herrling Property Subdivision*. The final plat was not recorded within 12 months of the August 2021 approval as required by State statute and was re-approved by the Common Council on November 22, 2022. The final plat was recorded on May 8, 2023.

Project Description

The applicant is requesting approval of a zoning map amendment from SR-C2 (Suburban Residential–Consistent 2 District) to TR-C3 (Traditional Residential–Consistent 3 District) for 52.4 acres of land comprising the *Westwind* residential subdivision generally located at the northeastern corner of Mineral Point Road and Pioneer Road. The proposed zoning map amendment includes the 70 single-family lots created when the *Westwind* final plat was recorded in May 2023 as well as four outlots dedicated to the City for stormwater management with that plat, and one outlot reserved for future development. The outlot for future development was identified at the time of preliminary plat approval for the development of 57 additional single-family lots. [Note: 149 Wisteria Street is the address of the outlot for future additional development (Outlot 2).]

The applicant for the rezoning is the developer of the *Westwind* subdivision and owner of 59 of the platted single-family lots to be rezoned as well as the owner of the outlot for future development. Power of attorney documents signed by the owners of the other 11 platted lots to be rezoned are on file with the Planning Division. [City staff does not object to the inclusion of the outlots dedicated to the City for stormwater management (Outlots 1, 3, 4, and 5) in the rezoning request. While stormwater management is an allowed use in all zoning districts and outlots are not subject to bulk and dimensional requirements, staff supports creating continuity for the entire subdivision on the zoning map.]

The letter of intent accompanying the application indicates that the requested rezoning is intended to zone the *Westwind* subdivision the same as the *Eagle Trace* and *Fox Knoll* single-family residential subdivisions located to the north of this property, both of which were zoned TR-C3 concurrent with their subdivision approvals in 2018 and 2021-2022, respectively. Both zoning districts primarily allow for the construction of single-family detached dwellings. However, the TR-C3 district requested has less restrictive setback requirements than the SR-C2 district. The following table outlines the dimensional requirements for a single-family detached dwelling in the two districts:

| Dimensional/Bulk Requirements | Required – Existing SR-C2 Zoning | Required – Proposed TR-C3 Zoning |
|----------------------------------|--|---|
| Lot Area | 6,000 sq. ft. | 3,000 sq. ft. |
| Lot Width | 50' | 30' |
| Minimum Front Yard Setback | 30' | 15' |
| Maximum Front Yard | --- | 30 ft. or up to 20% greater than block average |
| Side Yards | 6' | 5'; For lots less than 50' wide: 10% of lot width |
| Reverse Corner Side Yard Setback | 15' | 8' (10' from attached garage) |
| Rear Yard | Lesser of 30% lot depth or 35' | 20' |
| Maximum Lot Coverage | 50% | 75% |
| Usable Open Space | Note: Usable open space is no longer required per Ord. 25-00011 (ID 86650) | |
| Building Height | 2 stories/ 35 feet | 2 stories/ 35 feet |

Analysis & Conclusion

In order to approve the zoning map amendment, the Common Council shall find that the zoning map amendment is *consistent with* the City's Comprehensive Plan as required by Section 66.1001(3) of Wisconsin Statutes. "Consistent with" is defined as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan."

The 2018 Elderberry Neighborhood Development Plan recommends that the Westwind subdivision be developed in Residential Housing Mix 1 (HM1), which is primarily planned for single-family detached residences not to exceed eight (8) units per acre. The recommendations in the neighborhood development plan are generally reflected in the 2023 Comprehensive Plan, which recommends the subject site and other properties along Pioneer Road for Low Residential (LR).

The Planning Division believes that both the existing and proposed zoning districts are consistent with these plan recommendations, and staff does not object to the applicant's desire for the Westwind subdivision to be subject to the same bulk and dimensional requirements as the two subdivisions located between this site and Old Sauk Road, which were approved contemporaneously with Westwind. In fact, at the time what became Westwind was first zoned in 2019, Planning staff indicated that it would support a subsequent rezoning request to another district that only allows single-family residences but with less restrictive bulk requirements in the event that the bulk requirements in SR-C2 were found to be too onerous or inconsistent with the future development envisioned.

Regardless of the zoning district, the lots in Westwind will be subject to the transition area requirements in the 2003 *Final City of Madison and Town of Middleton Cooperative Plan*, which established a transition area within a quarter mile on either side of the centerline of Pioneer Road from Old Sauk Road south to Valley View Road. The intent of the transition area was to establish compatible land uses east and west of the permanent boundary between the Town and the City at Pioneer Road. Development within the transition zone is restricted to a maximum density of four (4) units per acre, and subdivisions in the transition area both east and west of Pioneer Road are required to provide an 80-foot-wide landscaped building setback as a condition of any development approval. All of the lots in the Westwind subdivision are located within the transition area established by the cooperative plan and are therefore subject to the maximum density of four units per acre. While both the current and proposed zoning districts would ordinarily allow smaller lots to be created by virtue of their minimum lot area and width requirements, the density restriction in the cooperative plan will continue to take precedent. (The westernmost portions of Eagle Trace and Fox Knoll are also subject to these density restrictions.)

[Note: SR-C2 was assigned to the Westwind lots with the 2019 preliminary plat because staff felt that the SR-C3 district that was originally proposed by the applicant for the *Herrling Property Subdivision* was inconsistent with the development restrictions in the cooperative plan noted above because SR-C3 zoning also allows two-family residences, which could have resulted in more density within a quarter mile of Pioneer Road than allowed. SR-C2 zoning was felt to be more consistent with the development limitations.]

As with any zoning map amendment, notice of the proposed rezoning of the Westwind subdivision was published notice in the City's newspaper of record (Wisconsin State Journal) and notices were mailed to the property owners and occupants within 200 feet of the area subject to the map amendment, including properties in the Town of Middleton as required by the cooperative plan.

In closing, the Planning Division believes that the proposed rezoning of the *Westwind* subdivision to TR-C3 is consistent with the HM1 recommendations for the site in the Elderberry Neighborhood Development Plan and the Low Residential recommendation in the Comprehensive Plan. Staff does not object to the applicant's request for their subdivision to be subject to the same bulk/dimensional requirements as the two single-family residential subdivisions to its north. However, the development restrictions imposed on the site in the *City of Madison and Town of Middleton Cooperative Plan* will continue to abide despite the more permissive lot area requirements of the proposed district.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and forward Zoning Map Amendment ID 28.022–00709, rezoning Lots 1–70 and Outlots 1–5 of *Westwind* subdivision from SR-C2 to TR-C3, to the Common Council with a recommendation of **approval** subject to input at the public hearing. The rezoning request has not been forwarded to City agencies for review, and no conditions of approval are recommended. The conditions of approval governing the *Westwind* subdivision will not be affected by the proposed zoning change.