



Report to the Plan Commission

June 10, 2009

Legistar I.D. #14741 & 14850

Direct Annexation from the Town of Westport

Report Prepared By:
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Planning Division

Requested Action: Approval of Petition #14741 and Ordinance #14850, annexing properties owned by Cherokee Park, Inc. and the City of Madison from the Town of Westport to the City of Madison.

Applicable Regulations & Standards: Section 66.021 of the Wisconsin Statutes outlines the process for annexation of land to municipalities in the State of Wisconsin.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward this annexation petition and ordinance to the Common Council with a favorable recommendation.

Background Information

Applicants/ Petitioners: Dennis Tiziani, President; Cherokee Park, Inc.; 13 Cherokee Circle, Madison and the Mayor and City Clerk of the City of Madison.

Status of Applicants: Property owners. There are no electors on the property.

Development Schedule: There are no development proposals pending for the annexation area at this time. Following annexation, the City will undertake a two-lot land division by Certified Survey Map to define its ownership from Cherokee Park, Inc.'s. The City-owned property will be rezoned to the Conservancy zoning district to reflect the intended continued use of its land for permanent open space and stormwater management. The developable portions of the Cherokee Park, Inc. land will be rezoned and further subdivided at such time as a development proposal comes forward for that property.

Parcel Location: The annexation petition encompasses 77.06 acres generally located on the north side of Wheeler Road immediately west of Comanche Way. The land is adjacent to Aldermanic District 18 and is located in the Waunakee School District.

Adopted Land Use Plan: The Cherokee Special Area Plan identifies most of the annexation area as lands for park, open space and stormwater management consistent with the historic and proposed future use of the land. A portion of the annexation is located in the "Wheeler Triangle" planning sub-area, which is envisioned for future low-density residential uses up to eight dwelling units per acre.

Public Utilities and Services: The subject site is located in the Central Urban Service Area and public sewer and water are generally available on the periphery of the annexation area in both Wheeler Road and Comanche Way. Most of the land to be annexed is owned by the City and was purchased for open space and will not therefore be developed. Most of the City-owned land is located in a mapped environmental corridor and is characterized by the presence of woodlands, wetlands, floodplain and permanent drainage channels. The land owned by Cherokee Park, Inc. in the southeasterly portion of the annexation area will be developed in the future, at which time public services will be extended into the site by private developer's agreement.

Evaluation, Analysis & Conclusion

The City of Madison and Cherokee Park, Inc., are requesting approval of a joint direct annexation petition to annex 77.06 acres of land to the City from the Town of Westport. The property is located on the north side of Wheeler Road immediately west of Comanche Way. The annexation lands are bordered on the north and east by single-family residences in the First and Second Additions to the Cherokee Park subdivision. Cherokee Marsh Conservation Park abuts the annexation area to the west, while the area to the south across Wheeler Road is developed with single-family residences in the Sherman Village subdivision and Northland Manor Park.

On January 20, 2009, the Common Council authorized the acceptance of a Dedication and a Purchase Agreement for the City's acquisition of two parcels containing approximately 48 acres of land located adjacent to Wheeler Road that were previously owned by Cherokee Park, Inc. The acquisition occurred by Special Warranty Deed on January 30, 2009. The 48 acres and three other parcels on the north side of Wheeler Road already owned by the City comprise an area commonly referred to as the Wheeler Open Space Parcel. Most of the City-owned land is located in a mapped environmental corridor and is characterized by the presence of woodlands, wetlands, floodplain and permanent drainage channels. Following the annexation, the City intends to consolidate its five parcels into one lot by Certified Survey Map. The 73.3-acre parcel will continue to be used for regional stormwater management and as open space as an extension of Cherokee Marsh Conservation Park. The City intends to zone the property to the Conservancy zoning district following the annexation.

The 77.06 acres being annexed include an approximately 3-acre remnant still owned by Cherokee Park, Inc. Most of the remnant will be developed with other adjacent Cherokee Park property totaling 5.82 acres as low-density residential uses as recommended in the Wheeler Triangle planning sub-area of the Cherokee Special Area Plan, though no development proposals are forthcoming at this time. The Cherokee Park lands will be defined in the above-mentioned CSM as an outlot to be rezoned and further subdivided at such time as a development proposal is brought forth.

The 77.06 acres will be zoned Temporary Agriculture upon annexation. The annexation is in keeping with the annexation agreement entered into between the City and Cherokee Park Inc. as part of the development of the Cherokee Special Area Plan approved in 2007.

Recommendation

The Planning Division recommends that the Plan Commission forward this annexation petition and ordinance to the Common Council with a favorable recommendation.