



PREPARED FOR THE PLAN COMMISSION

- Project Address:** 5204 N. Sherman Avenue
- Application Type:** Preliminary Plat and Final Plat
- Legistar File ID #** [41145](#)
- Prepared By:** Timothy M. Parks, Planning Division  
Report includes comments from other City agencies, as noted
- Requested Action:** Approval of a preliminary plat and final plat of “The Turn at Cherokee,” creating 16 single-family lots and 2 outlots for stormwater management and golf club purposes at 5204 N. Sherman Avenue in SR-C3 (Suburban Residential–Consistent 3 District) zoning.

**Addendum**

On February 8, 2016, the Plan Commission recommended approval of a request to rezone 5204 N. Sherman Avenue from Temp. A (Agricultural District) to SR-C3 (Suburban Residential–Consistent 3 District) to the Common Council (ID [41408](#)) but referred consideration of a related preliminary plat and final plat to create 16 single-family lots and 2 outlots for stormwater management and golf club purposes. In referring “The Turn at Cherokee” subdivision to this meeting, members of the Commission cited the need for additional information on stormwater management plans for the plat and relationship between the project and a separate City project to reconstruct the section of N. Sherman Avenue adjacent to the subject site.

Following the meeting, the applicant’s engineer submitted a preliminary stormwater management plan to the City Engineering Division for review. While such a plan is typically submittal following Plan Commission approval and prior to the City Engineer approving the final plat for recording, the preliminary plan was reviewed by staff to ensure that the assumptions made in the design of the subdivision can be implemented following approval. The City Engineering Division requests that all of the stormwater management and erosion control-related conditions included in the February 8 report be included in the approval of the plat with the additional clarification that Outlot 2 be dedicated to the public for stormwater management purposes. Final approval of the stormwater management plan for the project will occur prior to recording.

Additionally, City Engineering staff looked more closely at the plans for the N. Sherman Avenue reconstruction project scheduled for later this year. At the previous Plan Commission meeting, Planning staff indicated that the 2007 Annexation/ Attachment Agreement and Memorandum of Understanding between the City and Cherokee Park Development, Inc. called for a 7-foot pedestrian-bicycle path/ sidewalk to be constructed on the east side of N. Sherman Avenue. In fact, the agreement calls for an 8- to 10-foot path to be constructed on the east side unless the parties agree that the path should be constructed on the west side of the street. Due to the presence of wetlands on the east side of N. Sherman and the need for the path north of the subject site reduced as a result of changes to the development pattern originally planned in the Cherokee “Fifth Addition” area, staff believes that construction of the path/ sidewalk on the west side of the road from Golf Parkway north to the northern intersection of proposed Niblick Drive will adequately serve the clubhouse and residential project located north of Wheeler Road. Accordingly, the City Engineering Division has submitted 3 additional conditions to address the construction of N. Sherman Avenue adjacent to the plat.

**Review Schedule:** The State’s subdivision statute, Wis. Stats. 236, requires that a preliminary plat be approved, conditionally approved, or rejected (with stated reasons) within 90 days of submittal unless the time is extended by agreement with the applicant. If no action is taken within 90 days and no extension granted, the plat is deemed approved. The proposed preliminary plat application was submitted to the City on December 9, 2015. Therefore, the 90-day review period for the preliminary plat will end circa March 9, 2016.

## **Recommendation**

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

The Planning Division recommends that the Plan Commission forward the preliminary plat and final plat of The Turn at Cherokee, to the Common Council with recommendations of **approval** subject to input at the public hearing, the conditions of approval in the (attached) February 8, 2016 staff report, and the following additional conditions recommended by the City Engineering Division:

Major/Non-Standard Conditions are Shaded

### **City Engineering Division** (Contact Brenda Stanley, 261-9127)

1. A deed restriction of sale shall be placed all lots within the plat until such time the schedule of assessments for the City Street Reconstruction project for N. Sherman Ave. (City project #10217) have been approved by Common Council.
2. At the developer's request, the City will extend utilities and reconstruct N. Sherman Avenue as needed to serve the plat. The developer shall grant City a 20-foot wide temporary limited easement for grading purposes on the west side of N. Sherman Avenue from Golf Parkway to the plat.
3. The developer shall grant City a 20-foot wide temporary limited easement for grading purposes along the west side of N. Sherman Avenue along lots Outlot 1, Outlot 2, Lots 1-7 and Lot 16.
4. Outlot 2 shall be dedicated to the public for stormwater management purposes.