



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 1251-1651 Meadow Road  
**Application Type:** Zoning Map Amendment, Preliminary Plat and Certified Survey Map  
**Legistar File ID #** [50902](#), and [50867](#)  
**Prepared By:** Timothy M. Parks, Planning Division  
Report includes comments from other City agencies, as noted

## Summary

**Applicant & Property Owner:** City of Madison; representative: Jeff Quamme, City Engineering Division.

**Surveyor:** Jason Houle, Diversified Infrastructure Services, Inc.; 46 South Rolling Meadows Drive; Fond du Lac.

**Requested Actions:** Approval of a request to rezone land generally addressed as 1251-1651 Meadow Road from Temp. A (Agricultural District) to SR-C1 (Suburban Residential–Consistent 1 District), PR (Parks and Recreation District) and CN (Conservancy District); approval of a preliminary plat and Certified Survey Map to create two lots for future residential development, three outlots for stormwater management, and two outlots for public parkland.

**Proposal Summary:** The City is requesting approval to subdivide 70.3 acres of City-owned land to create two lots for future residential development in SR-C1 zoning, three outlots for a regional stormwater management project to be zoned CN, and two outlots for the expansion of Hill Creek Park in PR zoning. The land was purchased in 2015 and attached to the City from the Town of Middleton in 2016. Construction of the regional stormwater facility, grading for the park, and construction of street connections will occur in 2019-2020. Future development of the two residential parcels will occur following disposition of the property to a private developer and subsequent subdivision approvals.

**Applicable Regulations & Standards:** Section 28.182 of the Zoning Code provides the process for zoning map amendments. The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations.

**Review Required By:** Plan Commission and Common Council.

**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 and Certified Survey Map were submitted to the City on March 7, 2018. Therefore, the 90-day review period is scheduled to expire circa June 7, 2018.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00325, 28.022–00326 and 28.022–00327, rezoning 1251-1651 Meadow Road from Temp. A to SR-C1, PR and CN, and a preliminary plat and Certified Survey to subdivide City-owned lands to the Common Council with recommendations of **approval** subject to input at the public hearing and the conditions from reviewing agencies beginning on page 5 of this report.

## Background Information

**Parcel Location:** An approximately 70.3-acre parcel located on the east side of Meadow Road, approximately a quarter-mile north of Mid Town Road; Aldermanic District 1 (Harrington-McKinney); Middleton-Cross Plains School District. Future residential development on proposed Lots 1 and 2 will likely occur in the Madison Metropolitan School District pursuant to an agreement between the Middleton and Madison districts.

**Existing Conditions and Land Use:** Undeveloped agricultural land, zoned Temp. A (Agricultural District).

### Surrounding Land Use and Zoning:

**North:** Single-family residences on large tracts and undeveloped land in the Town of Middleton;

**South:** Undeveloped agricultural land in the Town of Middleton and City of Madison, zoned A (Agricultural District);

**East:** Single-family residences in the City of Madison in the Hawks Landing Golf Club subdivision, zoned SR-C1 (Suburban Residential–Consistent 1 District), and Hawks Woods subdivision, zoned SR-C2 (Suburban Residential–Consistent 2 District); Hill Creek Park;

**West:** Single-family residences on large tracts along Meadow Road; Accurate Tree Service, all in the Town of Middleton.

**Adopted Land Use Plan:** The Mid-Town Neighborhood Development Plan identifies the Meadow Road frontage of the subject site for low-density residential uses up to eight units per acre. The relative locations of the future stormwater management facilities are recommended for park, drainage and open space. The neighborhood plan calls for Treetops Drive and Feather Edge Road to intersect at a new public street that would extend west to intersect Meadow Road. An expansion of Hill Creek Park west to the new street intersection is also recommended in the plan, with low- to medium-density residential development (eight to eleven units per acre) recommended along Treetops Drive and Feather Edge Drive opposite the expanded park.

**Environmental Corridor Status:** The general locations of the Hill Creek Park and regional stormwater management facilities are located in mapped environmental corridors. Two farm ponds, Lower Badger Mill Creek, and associated wetlands are also identified on the corridor maps.

**Public Utilities and Services:** The site will be served by a full range of urban services as it develops with the exception of Metro Transit, which does not currently provide service west of the intersection of Woods Road and Mid Town Road.

**Zoning Summary:** The subject property will be zoned SR-C1, PR and CN. The proposed lots and outlots will be reviewed in the following section.

Other Critical Zoning Items	
Yes:	Utility Easements, Adjacent to Parkland (Hill Creek Park)
No:	Barrier Free, Urban Design, Wellhead Protection, Floodplain, Landmarks, Waterfront Development
<i>Prepared by: Tim Parks, Planning Division and Jenny Kirchgatter, Assistant Zoning Administrator</i>	

## Previous Hearing

On April 23, 2018, the Plan Commission referred the zoning map amendment, preliminary plat and Certified Survey Map requests to the May 21, 2018 meeting to allow for a public meeting on the projects to be held. On May 15, 2018, the Common Council referred the requests to the June 4, 2018 Plan Commission meeting at the request of Ald. Harrington-McKinney to allow additional time for the public meeting to occur. The public meeting for the Lower Badger Mill Creek projects was held on May 23, 2018.

## Project Description, Analysis and Conclusion

The City of Madison is requesting approval of a zoning map amendment, preliminary plat and Certified Survey Map to subdivide 70.3 acres of land located on the east side of Meadow Road, approximately a quarter-mile north of Mid Town Road.

The Common Council approved acquisition of the subject property on June 19, 2015 for a variety of purposes using funds from the Park Division Parkland Acquisition Fund, Stormwater Utility (City Engineering Division) and general obligation borrowing. One of the factors in the acquisition was the need to unencumber the City-owned land on which Garver Feed Mill is located on S. Fair Oaks Avenue along Starkweather Creek. Because some of that property was acquired in 1997 using Wisconsin Department of Natural Resources "Urban Rivers" stewardship funds, the feed mill could not be redeveloped until comparable open space with a qualifying water feature was acquired by the City. The land use restriction placed on the Garver/"North Plat" property in 1997 to limit use of that property to parkland was transferred to a portion of the subject site, which allowed the ongoing redevelopment of the feed mill to proceed. (The new restriction is identified as "Restricted Area as per Document No. 5184259" on the preliminary plat and CSM.) Approximately 37 acres of the subject site were also identified for a future regional stormwater management facility to be known as Lower Badger Mill Creek Regional Basin 1.

The 70.3 acres were attached to the City from the Town of Middleton on June 13, 2016 and assigned Temp. A zoning.

The proposed rezoning and subdivision call for the following:

- Outlot 1, Outlot 3 and Outlot 5, totaling 33.86 acres, will be zoned CN (Conservancy District). Outlot 1 and most of Outlot 3 will contain the proposed Lower Badger Mill Creek Regional Basin 1. Outlot 5 will be a triangularly shaped, half-acre parcel located adjacent to an existing outlot dedicated for stormwater management in the adjacent Hawks Woods residential subdivision. Large ponds already exist on proposed Outlot 1 and 3, and all three proposed outlots are characterized by delineated wetlands.
- Outlot 2 will be a 16.25-acre addition to adjacent Hill Creek Park, which was primarily dedicated with the Hawks Landing Golf Club residential subdivision. Outlot 4 will be a 0.63-acre parcel located on the northwesterly side of Feather Edge Road, which will be extended onto the subject site from its current terminus in the adjacent Hawks Woods residential subdivision. A master plan for Outlot 2 and the rest of Hill Creek Park will be developed later this year. The Parks Division anticipates using Outlot 4 as parking for the park. Both Outlot 2 and Outlot 4 will be zoned PR (Parks and Recreation District) with the proposed rezoning.

- In addition to the extension of Feather Edge Road southwest into the site, the subdivision calls for the dedication and construction of Blue Harvest Lane as a 70-foot wide east-west public street that will extend into the site from Meadow Road. Plans for the Hill Creek Park call for a park drive to be constructed from the intersection of Blue Harvest Lane and Feather Edge Road south and east to connect to a short segment of Treetops Drive dedicated and constructed with the Hawks Landing Golf Club subdivision.
- Two lots will be zoned SR-C1 (Suburban Residential–Consistent 1 District) for future residential development by third parties as part of the current requests:
  - Lot 1 is proposed as a 3.1-acre parcel with 396 feet of frontage along Meadow Road. The parcel is bordered on the south by agricultural land, and to the north by a tree service and residences located along Meadow Road. The site is recommended for low-density residential land uses up to eight units an acre in the Mid-Town Neighborhood Development Plan. Planning staff believes that the lot could be further developed in the future with single-family detach residences fronting the road, or arranged around an “eyebrow” centered on the frontage. A small, well-designed townhouse-style development may also be appropriate if developed within the density range of the adopted plan.

City Engineering staff has also indicated that Lot 1 could be incorporated into the regional stormwater facility to be developed adjacent on proposed Outlot 1 if needed for additional capacity.
  - Lot 2 will be a triangularly shaped parcel located along northern edge of the overall site. The proposed lot is characterized by 25 feet of grade change from a ridge near the center of the property, which falls towards the stormwater management outlots that will buffet it on the west and east. Access to the lot will be provided by the extension of Soaring Sky Run northwest from its current terminus at Feather Edge Road in the Hawks Woods subdivision. This lot and the large residential parcel adjacent to the north are recommended for low-density residential land uses up to eight units an acre in the Mid-Town Neighborhood Development Plan. Future development of Lot 2 will likely include a network of streets extending off Soaring Sky Run that would continue north onto the adjacent property when it subdivides. Sanitary sewer to serve future development of Lot 2 is located in the adjacent City outlots, and water will be extended in Soaring Sky Run as part of the City’s street construction work to serve this subdivision.

Construction of the regional stormwater facility, grading for the park, and construction of the streets will commence in 2019 and are anticipated for completion in 2020. Full development of Hill Creek Park is expected in phases between 2020 and 2022. Future development of the two residential parcels will occur following disposition of the property to a private developer and subsequent development approvals.

The Planning Division believes that the proposed zoning map amendments and subdivision are consistent with the recommendations for the site in the Mid-Town Neighborhood Development Plan, and fulfill the City’s objectives when the 70.3-acre site was acquired in 2015. The land acquisition and subdivision will provide needed regional stormwater facilities for the rapidly developing Lower Badger Mill Creek watershed, an expanded Hill Creek Park, and additional connectivity for two existing neighborhoods.

## Recommendation

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

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00325, 28.022–00326 and 28.022–00327, rezoning 1251-1651 Meadow Road from Temp. A to SR-C1, PR and CN, and a preliminary plat and Certified Survey to subdivide City-owned lands to the Common Council with recommendations of **approval** subject to input at the public hearing and the conditions that follow (on the next page).

### **Recommended Conditions of Approval** Major/Non-Standard Conditions are Shaded

### **City Engineering Division** (Contact Tim Troester, 267-1995)

1. When the future Lots 1 and 2 develop, the developer will be required to extend public sewer main and enter into developer's agreement to complete the work.
  2. The City has a sanitary sewer extending through the property being divided by the proposed CSM. If there are any adjustments modifications to the City manholes, a developer's agreement will be required. The City will need to inspect any construction work done to the City manholes.
  3. The developer shall construct street and sidewalk improvements for Soaring Sky Run, Feather Edge Road and Treetops Drive.
  4. The applicant shall add "pedestrian/bike path" to purposes allowed for Outlots 1 and 3.
5. This development is subject to impact fees for the Lower Badger Mill Creek Sanitary Sewer and Stormwater Management Impact Fee District. All impact fees are due and payable at the time building permits are issued. The following note shall put on the face of the plans: "Lots/ buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued."
  6. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
  7. A Phase 1 environmental site assessment (Phase 1 ESA), compliant with ASTM E1527-13, is required for the project area. The applicant shall provide one (1) digital copy and a paper copy only if specifically requested. Staff review of this Phase 1 ESA will determine if a Phase 2 ESA is also required. Please submit report(s) to Brynn Bemis (608-267-1986, bbemis@cityofmadison.com) for review.
  8. Any lands within this CSM not required for parkland, storm water management or street purposes shall be subject to MGO Chapter 37 with regard to erosion control and stormwater management.

9. The developer shall confirm that adequate sight distance exists where public streets intersect. If adequate sight distance does not exist, the developer shall change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make other mitigating improvements as required by the City.
10. The developer shall make improvements to Meadow Road to facilitate ingress and egress to the CSM.
11. The applicant shall dedicate a Permanent Limited Easement for grading and sloping 20 feet wide along Outlot 2, Outlot 4 and Lot 1 along the street frontages or access easement frontages.

**City Engineering Division – Mapping Section** (Contact Jeff Quamme, 266-4097)

12. The applicant shall establish a 20-foot wide pedestrian/ bike easement along the southeastern and southwestern lot lines of Lot 2.

13. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The developer's surveyor and/or applicant must submit copies of required tie sheets or monument condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com). If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office and shall be attached to a signed and sealed monument condition report. The applicant shall identify monument types on all PLS corners included on the plat.
14. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe PDF format. The digital CADD file shall be submitted in the WisDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

\*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any original submittal of data and prior to final sign off.

15. This pending Certified Survey Map application shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in the parcel database so that the permitting system can upload this data and permit issuance made available for this new land record.

**Zoning Administrator** (Contact Jenny Kirchgatter, 266-4429)

This agency reviewed this request and has recommended no conditions or approval.

**Traffic Engineering Division** (Contact Eric Halvorson, 266-6527)

16. The applicant shall work with the Traffic Engineering Division to provide bike path easements similar to what is shown by the Metropolitan Area Transportation Planning Board.

**Fire Department** (Contact Bill Sullivan, 261-9658)

This agency reviewed this request and has recommended no conditions or approval.

**Water Utility** (Contact Adam Wiederhoeft, 261-9121)

17. When future Lots 1 and 2 develop, the developer will be required to extend public water main and enter into a developer's agreement to complete the work.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency reviewed this request and has recommended no conditions or approval.

**Parks Division** (Contact Sarah Lerner, 261-4281)

18. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the West Park-Infrastructure Impact Fee district. Please reference ID# 18115 when contacting Parks Division staff about this project.

19. The following note should be included on the subdivision: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued." The Parks Division will be required to sign off on this subdivision.

20. City Forestry will evaluate the terrace for new street tree plantings upon completion of the project. If there is space for new trees, City Forestry will schedule planting and assess the cost of the initial planting to the property owner.

**Office of Real Estate Services** (Lance Vest, 245-5794)

21. Signature block certifications shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). When the original hard stock recordable CSM is ready, the City's Office Of Real Estate Services ("ORES") can assist with obtaining the Mayor's and the Clerk's signatures. Please revise the name in the Owner's Certificate to state: "City of Madison, a Wisconsin municipal corporation..." If the city will not be the owner at the time of CSM sign-off and recording any change in ownership shall be evident in record title and shown in the required title update.

22. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish to Jenny Frese ([jfrese@cityofmadison.com](mailto:jfrese@cityofmadison.com)) in the City's Office of Real Estate Services (ORES), as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (December 14, 2017) and the date when sign-off approval is requested. A title commitment may be provided, but will only be considered as supplementary information to the title report update. The surveyor shall update the plat with the most recent information available in the title report update.
23. The following revisions shall be made to the final plat prior to final approval and recording:
- a.) Depict, name, and identify by document number all existing easements cited in record title and the updated title report. The incorrect document number is indicated for public sanitary sewer easement. Please replace document number 4413040 with the correct document number: 4413049.
  - b.) Revise Note 4 on sheet 4. The easement language on the CSM contains stock conditions from our easement documents. To make them work for the CSM, the first sentence needs a minor tweak. Please revise, as follows: "Creation of Easement Rights: A permanent easement over, across a portion of the property (the "Easement Area") is established..."
  - c.) Create notes that define the purpose of and the ownership of (whether public or private) all outlots. The label for all outlots shall refer to the note number as well as the sheet number. The note for an outlot dedicated to the public shall say: "Dedicated to the public for \_\_\_\_\_ purposes."
  - d.) A preliminary plat was submitted at the time of the CSM application. The contents of the preliminary plat and the CSM shall be consistent, where applicable.