



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 4000-4150 Packers Avenue and 4201 North Sherman Avenue (12<sup>th</sup> Aldermanic District, Alder Abbas)

**Application Type:** Zoning Map Amendment; Preliminary Plat

**Legistar File ID #** [60683](#) and [60914](#)

**Prepared By:** Colin Punt, Planning Division  
Report includes comments from other City agencies, as noted

**Reviewed By:** Kevin Firchow, Planning Division

**Summary**

**Applicant:** Marty Rifkin; The Rifken Group Ltd; 1402 Pankratz St #105; Madison, WI 53704

**Surveyor/Contact:** Ryan Quam; Quam Engineering LLC; 4604 Siggelkow Road, Suite A; McFarland, WI

**Property Owner:** Dale Miller; 5700 Monona Dr; Madison, WI 53716

**Requested Actions:** Approval of a request to [ID 60914] rezone 4000-4150 Packers Avenue and 4201 N Sherman Avenue from temporary A (Agriculture district) to SR-C2 (Suburban Residential-Consistent 2 district), TR-C3 (Traditional Residential-Consistent 3 district), TR-V2 (Traditional Residential-Varied 2 district), TR-U1 (Traditional Residential-Urban 1 district), and CC-T (Commercial Corridor-Transitional district) and approval of [ID 60683] a preliminary plat creating 124 single-family lots and seven lots for future multi-family or mixed-use development, two outlots to be dedicated for stormwater management, and one outlot to be dedicated for a public alley.

**Proposal Summary:** The proposal for the “Raemisch Farm Development” subdivision calls for the 63.59-acre subject site to be platted with 124 lots for detached single-family residences. Most of those lots will be developed in the SR-C2 and TR-C3 single-family zoning districts. In addition, seven commercial or multi-family lots will be created with TR-V2, TR-U1, and CC-T zoning. The plat also proposes three outlots for a public alley and two stormwater facilities.

**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 application was submitted to the City on May 20, 2020. Therefore, the 90-day review period for this plat is scheduled to expire circa August 18, 2020. However, due to scheduling issues, particularly in regards to discussions with the nearby school districts, the applicant has requested referral to the October 19 Plan Commission meeting and corresponding October 20 Common Council meeting.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission forward Zoning Map Amendments ID 28.022–00454, 28.022–00455, 28.022–00456, 28.022–00457, and 28.022–00458, rezoning 4000-4150 Packers Avenue and 4201 North Sherman Avenue temporary A (Agriculture district) to SR-C2 (Suburban Residential-Consistent 2 district), TR-C3 (Traditional Residential-Consistent 3 district), TR-V2 (Traditional Residential-Varied 2 district), TR-U1 (Traditional Residential-Urban 1 district), and CC-T (Commercial Corridor-

Transitional district), respectively; and the preliminary plat of the *Raemisch Farm Development* subdivision, to the Common Council with recommendations of **approval** subject to input at the public hearing and the conditions from reviewing agencies in this report.

## Background Information

**Parcel Location:** The subject site is comprised of three parcels containing approximately 63.59 acres of land generally located between Packers Avenue and North Sherman Avenue, approximately one-half mile north of Northport Drive; The site is within Aldermanic District 12 (Abbas) and the Madison Metropolitan and DeForest School Districts.

**Existing Conditions and Land Use:** The site is mostly undeveloped, but farmed, with a single-family residence and accessory farm buildings in the southeast corner of the property. The site is zoned A (Agriculture District).

### Surrounding Land Uses and Zoning:

North: Single-family homes in the Whitetail Ridge Subdivision, zoned SR-C2 (Suburban Residential - Consistent 2 district);

South: Lakeview Elementary school zoned SR-C1 (Suburban Residential - Consistent 1 district), open space zoned SR-C2, apartment buildings zoned SR-V2 (Suburban Residential - Varied 2 district), a senior living center zoned PD (Planned Development district), and a mixed-use development zoned CC-T (Commercial Corridor-Transitional district);

West: Across North Sherman Avenue, single-family homes zoned SR-C1; and

East: Across Packers Avenue, undeveloped land owned by Dane County.

**Adopted Land Use Plans:** The [Comprehensive Plan](#) (2018) recommends Low Residential, Medium Residential, and Neighborhood Mixed Use for various portions of the subject site. The subject site is also located within the boundaries of the [Northport-Warner Park-Sherman Neighborhood Plan](#) (2009), which recommends development of the site as a new mixed-use neighborhood. More details regarding the specific recommendations of the adopted land use plans are provided in the Analysis section below.

**Environmental Corridor Status:** No mapped environmental corridors exist within the subject site.

**Public Utilities and Services:** The subject site is not currently served by all public utilities and services, but will eventually be served by a full range of urban services as it develops. Metro Transit service currently operates a quarter-mile to the south along Tennyson Lane.

**Zoning Summary:** The proposed lots are requested to be zoned SR-C2 (Suburban Residential-Consistent 2 district), TR-C3 (Traditional Residential-Consistent 3 district), TR-V2 (Traditional Residential-Varied 2 district), TR-U1 (Traditional Residential-Urban 1 district), and CC-T (Commercial Corridor-Transitional district). Consistency with the basic minimum lot width and area for the proposed lots is included in the "Analysis" section of this report. Review for compliance with the other bulk requirements, such as setbacks, usable open space, and lot area per unit for multi-family dwellings, will occur either at the time of permit issuance for permitted uses, or during any conditional use reviews required. Lot and bulk requirements for each proposed district are found in Appendix 1.

## Project Description

The applicant is requesting approval of a zoning map amendment and preliminary plat for the future development of 63.59 acres of land generally located between Packers Avenue and North Sherman Avenue, approximately one-half mile north of Northport Drive. The site has most recently been farmed and is currently zoned agricultural and does not have sanitary service or water service. The proposed "Raemisch Farm Development" subdivision calls for 124 single-family residential lots, as well as for seven lots to be developed with a variety of multi-family, commercial, and mixed-use building types. The plat also proposed two outlots for stormwater management and an outlot for a public alley. The parcels at 4000 and 4150 Packers Avenue, comprising 58.99 acres of the site were attached to the City of Madison from the Town of Burke on February 25, 2020; the parcel at 4201 North Sherman Avenue was already within the City of Madison at that time.

The two larger parcels along Packers Avenue, as well as another immediately to the west (Lots 1-3) and the stormwater outlot at the northeast corner of the site (Outlot 1) are proposed to be zoned CC-T (Commercial Corridor – Transitional district). The parcel at the south edge of the site (Lot 4), immediately east of Whitman Lane, is proposed for TR-U1 (Traditional Residential – Urban 1 district) zoning. A large parcel along North Sherman Avenue (Lot 80) adjacent to the western wetland and stormwater outlot (Outlot 3), and two parcels west of Whitetail Lane (Lots 5 and 27) that back onto the alley outlot (Outlot 2) are proposed to be zoned TR-V2 (Traditional Residential – Varied 2 district). The remaining parcels backing onto the alley are zoned TR-C3 (Traditional Residential – Consistent 3 district). All remaining parcels intended for single-family houses and the western wetland and stormwater outlot are proposed to be zoned SR-C2 (Suburban Residential – Consistent 2 district). The 4.57-acre Outlot 3 encompasses a delineated wetland near the southwest corner of the site, plus the entirety of a 50-foot wetland buffer. A 75-foot wetland buffer extends onto some of the adjacent lots, but lands within the buffer are unbuildable.

No final plat for any portion of the site has been submitted, nor have any specific development plans. While the applicant has indicated permitted-use single-family residences are intended for the lots zoned SR-C2 and TR-C3, depending on the type of development proposed, conditional use approvals will likely be required on the parcels to be zoned CC-T, TR-U1, and TR-V2.

The applicant's intended Phase 1 consists of Lots 1 through 4 and Outlot1, all along the east side of the site. Phase 1 construction is anticipated from May 2021 through October 2021; the applicant has indicated future phases will follow. A single-family farm residence located in the southeastern corner of the subdivision on the 4000 Packers Avenue parcel will remain for the time being. Plan Commission approval of a demolition permit will be required prior to issuance of any permits to raze the residence, which will likely be timed with approval of a final plat for the subdivision.

## Analysis

The applicant is requesting zoning and preliminary plat approval to plat 63.59 acres of current farmland as the Raemisch Farm Development subdivision. The subject property is one of the larger and more significant undeveloped parcels in this area, and its development will have a significant influence in filling out the neighborhood planning area. As is the case with any subdivision reviewed by the Plan Commission, the consistency of the subdivision with the Comprehensive Plan and any adopted neighborhood or sub-area plan and the adequacy of public services to serve the development are the principal considerations when recommending approval of the zoning map amendment and preliminary plat to the Common Council.

### **Conformance with Adopted Plans**

The [Comprehensive Plan](#) (2018) recommends Neighborhood Mixed Use (NMU) for the southeast corner of the site. NMU areas can contain housing, employment, shopping, and services that generally serves surrounding neighborhoods, with heights of two to four stories and residential densities of up to 70 dwelling units per acre. Immediately west of the NMU area and in the northeast corner of the site, the [Plan](#) recommends Medium Residential, which includes larger multifamily buildings or multifamily complexes, sometimes interspersed with other smaller housing types, generally two to five stories in height with residential densities between 20 and 90 dwelling units per acre. The [Plan](#) recommends Low Residential for the rest of the site, which includes predominantly one- and two-unit residences, though small multi-family buildings can be included in certain situations.

The subject site is also located within the boundaries of the [Northport-Warner Park-Sherman Neighborhood Plan](#) (2009). The Neighborhood Plan identifies the Raemisch property as a potential redevelopment area and provides two concept design plans for the site. The plan notes that the designs are intended to convey important ideas and design principles, but are only two of many potential design solutions. Conceptual designs for the property included a mix of detached houses on various lot sizes, co-housing, townhouses, live-work units, small and large multi-family housing, mixed-use development, urban agriculture, and parkland. The major planning and design goals outlined in the plan are flexibility in developing the site to achieve a denser, more urban neighborhood; a diversity of buildings and uses; sustainable neighborhood design; creating new street and path connections with the surrounding community; and preservation of open space. The plan includes 20 specific recommendations, which are attached with the Plan Commission materials.

### **Subdivision Standards**

Staff believes that the Plan Commission may find the standards for subdivision approval met with the proposed preliminary plat. All of the proposed lots will meet the minimum lot width and area requirements in their respective zoning districts, and staff believes that the proposal is consistent with the recommendations for the site in both the [Comprehensive Plan](#) and the [Northport-Warner Park-Sherman Neighborhood Plan](#). The proposed subdivision will implement the street network generally recommended to cross the Raemisch property, including the connection of streets between the Whitetail Ridge subdivision north of the site and Tennyson Lane to the south, and provide an important east-west connection between North Sherman Avenue and Packers Avenue.

Section 16.23(3)(a)(7)(g) MGO states that “the proposed subdivision shall be deemed to have adequate school facilities when the school district in which such proposed subdivision will be located upon its development, provides information that adequate classroom space is either available within the normal walk-in service area or that adequate transportation as normally provided by the school district can be provided to elementary through high schools that have sufficient classroom space to provide for the anticipated school age children in the proposed subdivision.”

The parcel located at 4201 N Sherman Avenue is located in the Madison Metropolitan School District (MMSD), while the rest of the subject site is currently within the DeForest Area School District (DASD). Section 3.3 of the 2007 Town of Burke, Village of DeForest, City of Sun Prairie and City of Madison Cooperative Plan stipulates that if this development remains in the DeForest School District at the time of application for final plat approval, the applicant and any development partners will be limited to no more than 50 "single-family equivalent" building permits (1 single-family dwelling unit = 3.3 multi-family dwelling units) per year within the subdivision area. For purposes of this provision, the definition of multi-family development includes rowhouse, apartment and condominium buildings containing more than two attached dwelling unit, and dwelling units within mixed-use buildings. Duplex units are considered single family units. This annual building permit allocation is not transferable between subdivisions, and is not cumulative from one year to the next. If the development occurred in MMSD, it

would not be subject to such a development limitation. Both Ald. Syed Abbas, District 12, and Ald. Rebecca Kemble, District 18, who represent this area of the City, have expressed a desire for this development to be located in MMSD to create continuity between the proposed residences and surrounding neighborhoods, most of which are located in MMSD. However, discussions between MMSD and DASD about the disposition of the subject site to one district or the other are in their formative stages. While staff is generally supportive of the alders' desire to move the Raemisch Farm Development into MMSD, Staff notes that the City has no direct bearing on the boundaries of school districts, who have the ability to negotiate boundaries afforded to them under State statute. Staff hopes that additional information on the future boundary between MMSD and DASD will be available at the time that a final plat for the subject site is presented for Plan Commission approval.

Section 16.23(3)(a)(7)(f) MGO states that "the proposed subdivision shall be deemed to have adequate parks, open space and recreation when it can be demonstrated that the future residents of the proposed subdivision will have such park, open space and recreation services and facilities available to them as are established by the standards in the most recently adopted plan for Park and Open Spaces by the City of Madison or Dane County." The proposed development does not include dedication of land for a public park, but the applicant will be required to pay parkland dedication fees and park infrastructure fees. While the [Northport-Warner Park-Sherman Neighborhood Plan](#) does show a park within the planning area, that specific plan was adopted in 2009 and two Parks and Open Space Plans (POSP) have been created by the Parks Division and adopted in the intervening time period. The most recent [POSP](#), adopted in 2018, determined that this area is served by existing parks (Berkley and Whitetail Ridge Parks). In addition, land is anticipated to be added to Whitetail Ridge Park in the next few years as part of a separate development proposal. Lastly, the Parks Division has also indicated the willingness to consider a joint use agreement with MMSD to allow use of the Lake View School campus as a park after school hours in exchange for City assistance with recreational amenity improvements.

### **Zoning Map Amendment Standards**

The Zoning Map Amendment standards, found in 28.182(6), M.G.O. state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety, and welfare, shall be consistent with the [Comprehensive Plan](#), and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's [Comprehensive Plan](#). 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan." As describe above, the request and its uses are generally consistent with the land use recommendations for this area in both the [Comprehensive Plan](#) and the [Northport-Warner Park-Sherman Neighborhood Plan](#). Staff's only comment regarding the proposed zoning districts is with regards to the two parcels west of Whitetail Lane (Lots 5 and 27) that back onto the alley outlot (Outlot 2) are proposed to be zoned TR-V2 (Traditional Residential – Varied 2 district). TR-V2 districts may allow more intense residential development than is typically recommended for Low Residential (LR) areas in the [Comprehensive Plan](#). However, as the [Neighborhood Plan](#) development concepts do show a mix of more-intense housing types throughout the neighborhood, Staff believes the Plan Commission can find the proposal consistent with the adopted plan recommendations.

Related to the zoning of portions of the site for potential residential uses is the proximity to the Dane County Airport/Truax Field. In September 2019, the Common Council adopted a resolution responding to the Draft Environmental Impact Statement (EIS) for the Air National Guard F-35A Operational Beddown National Guard Environmental Impact Statement (EIS) pertaining to the 115th Fighter Wing at Truax Field (Legislative File ID [57364](#)), just to the east of this site. According to the [F-35 EIS Staff Analysis](#), the southeastern portion of the site, including lot 2 and portions of lots 1, 3, and 4, fall within the "65 decibel" Day and Night Average Sound Level (DNL) area. The FAA has determined the 65 decibel DNL area is the noise exposure level where land use compatibility issues may begin to arise surrounding airports.

## Conclusion

The applicant is requesting approval of a zoning map amendment and preliminary plat for the future development of the Raemisch Farm Development subdivision. Planning Division staff has carefully reviewed the proposed subdivision and believes that it is generally consistent with the land use and street layout recommendations for the subject site in the adopted Comprehensive Plan and Northport-Warner Park-Sherman Neighborhood Plan. Planning Division staff also believe the Plan Commission can find the rezoning request to be consistent with the zoning map amendment standards of approval.

Several comments from neighbors and other residents are include with the Plan Commission packet of materials.

## Recommendation

### Planning Division Recommendation (Contact Colin Punt, 243-0455)

The Planning Division recommends that the Plan Commission forward the preliminary plat of the Raemisch Farm subdivision and Zoning Map Amendments ID 28.022-00454, 28.022-00455, 28.022-00456, 28.022-00457, and 28.022-00458, rezoning 4000-4150 Packers Avenue and 4201 North Sherman Avenue from temporary A (Agriculture District) to SR-C2 (Suburban Residential-Consistent 2 district), TR-C3 (Traditional Residential-Consistent 3 district), TR-V2 (Traditional Residential-Varied 2 district), TR-U1 (Traditional Residential-Urban 1 district), and CC-T (Commercial Corridor-Transitional district), respectively, to the Common Council with recommendations of **approval** subject to input at the public hearing and the conditions from reviewing agencies in this report.

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

#### Planning Division (Contact Colin Punt, 243-0455)

1. If the development of 4000 and 4150 Packers Avenue occurs in the DeForest Area School District, the applicant and any development partners will be limited to 50 "single-family equivalent" (1 single-family dwelling unit = 3.3 multi-family dwelling units) building permits per year pursuant to Section 3.3 of the 2007 Final Town of Burke, Village of DeForest, City of Sun Prairie and City of Madison Cooperative Plan. A note to this effect shall be included on the final plat of the Raemisch Farm Development prior to recording.

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

2. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
3. Show the width of Lot 14. The minimum lot width in the TR-C3 zoning district is 30 feet. Lot width is the horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required structure setback line. The width of Lot 14 shall be measured parallel to the Sunfield Street front property line at the 15 foot front yard setback.

4. Provide a grading plan identifying qualifying usable open space areas. Usable open space shall be at ground level in a compact area of not less than two hundred (200) square feet, with no dimension less than eight (8) feet and no slope grade greater than ten percent (10%). Where lot width is less than forty (40) feet, the minimum dimension of usable open space may be reduced to six (6) feet. Usable open space shall be outside of a required front or corner side yard, as extended to the rear lot line. Usable open space shall not include areas occupied by buildings, driveways, drive aisles, off-street parking, paving and sidewalks, except that paved paths no wider than five (5) feet and pervious pavement may be included as usable open space.

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

5. The City has limited sanitary sewer capacity in this area of the city. Offsite sanitary sewer improvements will be required for lands draining to the east.
6. This site has an enclosed depression on site - compliance with the back to back 100 year storage events per CARPC requirements will be enforced for the watershed draining to this enclosed depression. Additionally, if efforts are made to divert water elsewhere - the max discharge rates for the watershed that is leaving the site shall be set by the area leaving the site now not the area that can be made to discharge off site.
7. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
8. Construct Madison Standard street, multi-use path, and sidewalk improvements for all streets within the plat/csm. (MGO 16.23(9)(d)6)
9. Construct sidewalk, terrace along plat limits of both Packers Ave & Sherman Ave to a plan as approved by City Engineer. Construct 4' of pavement, curb and gutter along Packers Ave plat limits.
10. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat/csm. (MGO 16.23(9)(d))
11. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
12. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. This property is subject to Sanitary Connection charges for the Truax West Interceptor District at a rate of \$12.00/1000 sf.
13. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at 608-261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)

14. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
15. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
16. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line: <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>.
17. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.
18. A Phase 1 environmental site assessment (per ASTM E1527-13), is required for lands dedicated to the City. Provide one (1) digital copy and staff review will determine if a Phase 2 ESA is also required. Submit report(s) to Brynn Bemis (608-267-1986, [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)).
19. Submit a soil boring report that has been prepared by a Professional Engineer two weeks prior to recording the final plat to the City Engineering Division indicating the ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9' below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer. (MGO 16.23(9)(d)(2) and 16.23(7)(a)(13))
20. Confirm that adequate sight distance exists where public streets intersect per AASHTO design standards for intersection sight distance. If adequate sight distance does not exist, change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make the mitigating improvements as required by the City. Caution - The improvements indicated may require right-of-way outside of the plat/csm.
21. The applicant shall show storm water "overflow" paths that will safely route runoff during the 100-year 24-hour design storm when the storm sewer is at capacity. (POLICY)
22. Submit proposed lot corner grades with the stormwater management plan as these two items must be reviewed together to properly determine stormwater overflow conditions. Prior to the issuance of building permits, submit a master stormwater drainage plan with final as-built lot corner grades. These grades may be modified from the originally proposed grades provided they continue to meet design tolerances. No building permits shall be issued prior to City Engineering's final approval of this plan.
23. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at [meberhardt@cityofmadison.com](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto:daolivares@cityofmadison.com), for approval.

The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

24. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at [meberhardt@cityofmadison.com](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto:daolivares@cityofmadison.com), for approval.
25. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>
26. This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)
27. This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.
28. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.
29. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.  
The Storm Water Management Plan & Report shall include compliance with the following:
  - Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.
  - Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))
  - Rate Control: Detain the 2, 10, & 100 -year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.
  - Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.
  - TSS New Development: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.
  - TSS Redevelopment not TMDL: Reduce TSS by 40% (control the 20-micron particle) off of new paved surfaces as compared to no controls.
  - TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.

Volume Control: Provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event.

Thermal Control: Provide substantial thermal control to reduce runoff temperature in cold water community or trout stream watersheds.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

30. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
31. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [tstroester@cityofmadison.com](mailto:tstroester@cityofmadison.com) (West).

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

32. It is anticipated that the public sanitary sewer and storm water drainage improvements required to serve this proposed plat will require additional easements beyond the boundary of lands included in this plat over the lands to the east, currently owned by Dane County (Airport lands). The developer be required to acquire the easements as required by the City of Madison at the developer's expense. The City of Madison does not have Eminent Domain powers to acquire easement rights over lands owned by Dane County. Therefore all easements required are subject to Dane County approval. The Developer is advised to begin contact and negotiations with Dane County as soon if possible if not already begun.
33. Provide private Easements or Outlots to accommodate the current USPS required centralized delivery of mail using Cluster Box Units (CBU's). Applicant shall coordinate with the USPS Development Coordinator, City Engineering and Traffic Staff the required locations for the CBU's prior to the submittal of the final plat. CBU's serving this plat will not be permitted within any publicly owned or dedicated lands. If the Developer is not able to determine the final locations prior to recording the final plat, the final placement of the CBU's shall be determined and all documents recorded for the placement of the CBU's (after City review and approval) prior to construction of each phase. A recorded CBU owner's agreement shall be required prior to execution of the development agreement and prior to final sign-off of the plat/CSM.
34. Grant a Permanent Limited Easement for grading and sloping 15 feet wide along Packers Avenue. Contact Jeff Quamme of Engineering Mapping ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com), 608-266-4097) for easement language.
35. The Applicant shall Dedicate an additional 7 foot wide strip of Right of Way along N Sherman Avenue. Total width of the right of way shall be 73 feet.
36. The Applicant shall Dedicate 7 feet of additional right of way along Packers Avenue, for a total of 60' from the Section Line.

37. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final plat.
38. All easements for public use shall be labeled as public easements and have terms and conditions as required by the City of Madison on the final plat.
39. Lakeview Avenue is two words. Lake View Ave. Correct where necessary.
40. The suffix for Frank Street shall be changed to Lane.
41. A note shall be added under all of the street names labeled and to be dedicated on the CSM/plat, "Dedicated to the Public" as required by 236.20(4)(b).
42. 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 (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com)
43. Corner radii for streets intersecting N Sherman Avenue or Packers Avenue shall be revised to be 25 feet.
44. The Wetland Buffer lines shall be accurately dimensioned within all developable lots on the final plat.
45. All Outlots on the preliminary and final plat shall note the purpose of the dedication.
46. Public Easements shall be granted with adequate widths and terms for all public facilities required to cross any Lot within this plat. Contact Jeff Quamme for the required text setting forth terms and conditions for any public utility easements.
47. The right of ways where changing from a different width from adjacent right of way shall better transition on the final plat and shall accommodate the future public improvements required.
48. Title information was not available at the time of review. This preliminary plat is subject to future conditions upon the review of the required Report of Title.
49. Submit alternative street name for PEARL. That is a duplicate street name and therefore not allowed. Submit naming suggestions to Lori Zenchenko (LZenchenko@cityofmadison.com) for review and approval.

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

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| <ol style="list-style-type: none"><li>50. The Applicant shall Dedicate an additional 7' of Right of Way along Sherman Avenue. Total width of the right of way shall be 73 feet.</li><li>51. The Applicant shall dedicate an additional 7' of Right of Way along Packers Avenue, for a total of 60' from the Section Line.</li></ol> |
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52. The applicant shall add a note to the Plat stating no driveway shall be constructed that interferes with the orderly operation of the pedestrian walkway. This will require all pedestrian ramps to be constructed separate from driveway entrances; a curb-head of no less than six (6) inches in width shall be constructed between all pedestrian ramps and driveway entrances. This is especially important at 'T' intersections where lot and building layout become critical; to prevent interference with the pedestrian ramp, lots intersecting or adjacent 'T' intersection may require a shared driveway and access.

53. Prior to final sign-off, the applicant shall work with Traffic Engineering Electrical Section to record the necessary easements for streetlights. Typically, Traffic Engineering requires a 12' easement between lots and 6' easements on corner lots where street lights are needed.

Easements needed between lots:

79-78, 76-O.L.3, 4301-58, 61-62, 53-52, 57-56, 37-36, 32-31, 10-9 (Back of Lot easement also needed, 49-48, 4645, 96-97, 92-93, O.L. 3 -88, 84-85, 81-82, 131-130, 121-120, 111-112.

And corners of lots:

O.L 3, 41, 28, back of 5, 89, 87, 115.

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

54. An upgrade to include a fire sprinkler system with a cost estimate shall be made available for all initial single- or two-family home sales & construction. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D. Additional information is available at the Home Fire Sprinkler Coalition website: <https://homefiresprinkler.org/building-residential-fire-sprinklers>.

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

55. These properties have an outstanding water main connection charges associated with the original water main installations along N Sherman Ave and Packers Ave. Outstanding balances for water main special assessments/connection charges are based on original installation cost and applicable bond interest, up to 20years, payable to Madison Water Utility. Improvements which substantially change the use of the property require any outstanding deferred assessments and/or connection fees to be paid in full prior to proceeding with the proposed improvements (MGO 4.081(4)). Contact Adam Wiederhoeft at [awiederhoeft@madisonwater.org](mailto:awiederhoeft@madisonwater.org) to determine the final water main and/or existing water lateral connection fees.

56. Prior to commencing with demolition of any structures on this property, the existing private well must be properly abandoned according to the requirements of the Wisconsin Administrative Code, Chapter NR 812, which includes proper filling and sealing of the well. All wells located in the City of Madison or on premises served by the Madison Water Utility shall be abandoned by the owner of the property if there is no valid well operation permit issued by the Madison Water Utility (MGO 13.21 (4)). The purpose of the ordinance is to prevent unused and improperly abandoned wells from contaminating Madison's drinking water aquifer.

As specified in the ordinance, your responsibilities include:

- Contact a licensed well driller or pump installer and schedule the well abandonment.
- Contact the Water Utility, at least 48 hours prior to the abandonment, and provide the scheduled date and time of the abandonment. The contact number is (608) 266-4654.
- Pay for the cost of the abandonment.

- Ensure that a completed copy of the Wisconsin DNR Abandonment Form is provided to the Madison Water Utility within ten (10) days of the completion of the well abandonment. This form will be completed by the well driller or pump installer who performs the abandonment.  
The responsibilities of the Water Utility include:
  - Witness the abandonment to ensure that the private well is properly filled and sealed.Contact Madison Water Utility once you confirm date of the abandonment and the licensed well driller or pump installer performing the work. If you have any questions, contact the Madison Water Utility Water Quality Department at 266-4654.

57. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat/CSM per MGO 16.23(9)(d)(3).
58. All public water mains and water service laterals shall be installed by a standard City subdivision contract / City/Developer agreement. Applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.
59. Madison Water Utility will be required to sign off as part of the approval review associated with this Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development.

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

60. To facilitate City transit planning efforts and in coordination with public works improvements, the applicant shall construct all segments of Sunfield Street between North Sherman Avenue and Packers Avenue to applicable transit corridor standards.
61. To facilitate City transit planning efforts and in coordination with public works improvements, the applicant shall construct sidewalk and two wheelchair accessible concrete boarding pads on the south side of Sunfield Street (east of the N Sherman Avenue intersection and west of the Whitetail Lane intersection). The applicant shall also install sidewalk along the west side of Packers Avenue, and a wheelchair accessible boarding pad south of the Sunfield Street intersection.

62. Metro Transit currently operates daily, all-day service on North Sherman Avenue (serving stops in the Sunfield Street intersection), Tennyson Lane (serving stops at the N Sherman Avenue and Elliot Lane intersections) and Packers Avenue (serving stop south of Tennyson intersection). Metro Transit anticipates a City of Madison route restructure study may identify support towards relocation of existing transit service from Tennyson Lane, north to (new) Sunfield Street, to better serve new development areas between the North Sherman Avenue and Packers Avenue corridors..

**Parks Division** (Contact Ann Freiwald, 243-2848)

63. 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 North Park-Infrastructure Impact Fee district. Please reference ID# 20028 when contacting Parks about this project.

64. Prior to sign off on the final plat the applicant shall execute a declaration of conditions and covenants along with an impact fee schedule for the park impact fees for this development. This document will be recorded at the Register of Deeds. The applicant shall be responsible for all recording fees.
65. Parks Division shall be required to sign off on this subdivision.
66. 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."
67. Credits will be given to this plat for the existing single family house located on Lot 2 of the plat.
68. On the preliminary plat dated May 6, 2020 the Applicant proposes no park land dedication which is generally consistent with the Northport-Warner Park- Sherman Neighborhood Plan.

**Forestry Section** (Contact Jeffrey Heinecke, 266-4890)

69. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
70. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
71. As defined by Madison General Ordinance 10.10, City Forestry will assess the full cost of the street tree installation to the adjacent property owner. City Forestry will determine street tree planting sites and tree species type. Street tree planting will be scheduled after there is substantial completion of the new plat development along the street segment.

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

72. Prior to approval sign-off, the Owner's Certificate(s) on the PP shall be executed by all parties having an interest in the property, pursuant to Wis. Stats. 236.21(2)(a). Certificates shall be prepared with the ownership interests consistent with the most recent title report. Signatories shall provide documentation that proves legal authority to sign the Owner's Certificate. The executed original hard stock recordable plat shall be presented at the time of sign-off.
73. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to plat approval sign-off. If mortgages of record are paid off prior to plat approval, a copy of the recorded satisfaction for said mortgage shall be provided prior to sign-off.
74. A Consent of Lessee certificate shall be included on the plat for any tenancy in excess of one year, recorded or unrecorded, and executed by said tenant prior to agency plat approval sign-off.
75. All consents and certifications for any holder of interests in the subject lands shall conform with Wis. Stats. 236.21(2) and 236.29, i.e., to include the language "...surveyed, divided, mapped and dedicated....".

76. City of Madison Common Council Certificate: For parcels located within the City of Madison, a Madison Common Council Certificate shall appear as follows:

Resolved that this plat known as \_\_\_\_\_ located in the City of Madison was hereby approved by Enactment Number \_\_\_\_\_, File ID Number \_\_\_\_\_, adopted on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said plat to the City of Madison for public use.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Maribeth L. Witzel-Behl, City Clerk  
City of Madison, Dane County, Wisconsin

77. City of Madison Treasurer Certificate: The following certificate must appear on the plat:

I, \_\_\_\_\_, being the duly appointed, qualified and acting Treasurer of the City of Madison, Dane County, Wisconsin, do hereby certify that, in accordance with the records in my office, there are no unpaid taxes or unpaid special assessments as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ on any of the lands included in the plat of \_\_\_\_\_.

\_\_\_\_\_  
David Gawenda, City Treasurer  
City of Madison, Dane County, Wisconsin

78. Dane County Treasurer Certificate: A certificate for the Dane County Treasurer similar to the City of Madison Treasurer Certificate above shall appear on the plat.

79. Dane County Register of Deeds Certificate: A certificate for the Dane County Register of Deeds to enter time, date and recording location information shall appear on the plat.

80. As of 07/17/20, the 2019 real estate taxes are paid for the subject property. Under 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to Plat recording. This includes property tax bills for the prior year that are distributed at the beginning of the year. Receipts are to be provided on or before sign-off and checks are payable to:

City of Madison Treasurer  
210 Martin Luther King, Jr. Blvd.  
Madison, WI 53701

81. As of 07/17/20, there are no special assessments reported for the parcels within the plat boundary. Pursuant to Madison City Ordinance Section 16.23(5)(e)1 and Wis. Stats. 236.21(3), all special assessments, including accrued interest in the case of delinquencies, shall be paid by the owner prior to plat approval sign off.

Receipts for payment shall be provided to ORES in advance of plat approval sign-off. In lieu of this requirement, the owner may present written documentation from the City's Board of Public Works that the special assessments may be continued to be paid on the installment basis authorized by the Board of Public Works. However, if lands within the plat boundary are to be dedicated, the special assessments levied against the dedicated lands are to be paid in full.

82. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Lance Vest in the City's Office of Real Estate Services (lvest@cityofmadison.com), as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (06/30/20) 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.
83. Depict, name, and identify by document number on the proposed plat all existing easements cited in record title. In particular, please include a reference to the easement, restriction and mineral reservation contained in Doc. No. 784388.
84. Confirm with the Title Company that the updated title report accurately describes all lands within the plat boundary.
85. Create and record, or show as being dedicated in the proposed plat, easements for utility and drainage rights of way when the utility or drainage physically exists, but no document for it exists in record title.
86. Create notes that define the purpose of and the ownership of (whether public or private) all outlots. The note for an outlot dedicated to the public shall say: "Dedicated to the public for \_\_\_\_\_ purposes."
87. No farming or use of lands to be dedicated to the public for Park purposes shall be allowed unless specifically approved by the Parks Superintendent and permitted under a farm lease administered through the City of Madison Office of Real Estate Services. If the lands within the CSM boundary are farmed agricultural lands, the applicant shall enter into a lease with the City for those lands to be dedicated and/or conveyed to the City through CSM recording. Please contact the City of Madison Office of Real Estate Services to discuss the potential lease terms. Said leases are authorized by Resolution File ID 29183, RES-13-00247, adopted 04-16-13.
88. Include the following sentence with the dedicated utility easements depiction in the Legend: Utility Easements as herein set forth are for the use of public bodies, as well as private utilities having the right to serve the area.

**Appendix 1: Zoning Criteria**

**SR-C2 ZONING CRITERIA**

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	6,840 sq. ft. +
Lot Width	50'	57' +
Front Yard Setback	30'	TBD
Side Yard Setback	One-story: 6' Two-story: 7'	TBD
Reverse Corner Side Yard Setback	15'	TBD
Rear Yard Setback	Lesser of 30% lot depth or 35'	TBD
Usable Open Space	1,000 sq. ft.	TBD (see Zoning comment 3)
Maximum Lot Coverage	50%	TBD
Maximum Building Height	2 stories/ 35'	TBD

**TR-C3 ZONING CRITERIA**

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000 sq. ft.	3,800 sq. ft. +
Lot Width	30'	40' + (see Zoning comment 2)
Front Yard Setback	15'	TBD
Max. Front Yard Setback	30' or up to 20% greater than block average	TBD
Side Yard Setback	5' Lot width < 50': 10% of lot width	TBD
Reverse Corner Side Yard Setback	8' (10' for garage)	TBD
Rear Yard Setback	20' Alley-accessed: 2'	TBD
Usable Open Space	500 sq. ft.	TBD (see Zoning comment 3)
Maximum Lot Coverage	75%	TBD
Maximum Building Height	2 stories/ 35'	TBD

**TR-V2 ZONING CRITERIA**

Requirements	Required: Single-family attached (>4 units)	Required: Multi-family (>4 units)	Proposed
Lot Area (sq. ft.)	2,000 sq. ft./ d.u.	2,000 sq. ft./ d.u.	Lot 5: 60,733 sq. ft. Lot 27: 48,240 sq. ft. Lot 80: 116,040 sq. ft.
Lot Width	20' / d.u.	60'	Lot 5: 370' Lot 27: 334' Lot 80: 484'
Front Yard Setback	20'	20'	TBD
Max. Front Yard Setback	30' or up to 20% greater than block average	30' or up to 20% greater than block average	TBD
Side Yard Setback	Exterior end walls: 6'	10'	TBD
Reverse Corner Side Yard Setback	12'	12'	TBD
Rear Yard Setback	Lesser of 25% lot depth or 25'	Lesser of 25% lot depth or 25'	TBD
Usable Open Space	100 sq. ft./ d.u.	500 sq. ft./ d.u.	TBD (see Zoning comment 3)

Max Lot Coverage	90%	70%	TBD
Max Building Height	3 stories/ 40'	3 stories/ 40'	TBD

**TR-U1 ZONING CRITERIA**

Requirements	Required: Multi-family (>8 units)	Proposed
Lot Area (sq. ft.)	1,000 sq. ft./ d.u. + 300 sq. ft. per bedroom >2	Lot 4: 185,391 sq. ft.
Lot Width	50'	Lot 4: 446'
Front Yard Setback	15' or average	TBD
Max. Front Yard Setback	30' or up to 20% greater than block average	TBD
Side Yard Setback	10'	TBD
Reverse Corner Side Yard Setback	12'	TBD
Rear Yard Setback	Lesser of 25% lot depth or 25'	TBD
Usable Open Space	320 sq. ft./ d.u.	TBD (see Zoning comment 3)
Maximum Lot Coverage	75%	TBD
Maximum Building Height	5 stories/ 65'	TBD

**CC-T ZONING CRITERIA**

Requirements	Required	Proposed
Lot Area (sq. ft.): for exclusive residential use	750 sq. ft./ unit	Lot 1: 205,873 sq. ft. Lot 2: 188,009 sq. ft. Lot 3: 66,609 sq. ft.
Front Yard Setback	Varies 100' maximum	TBD
Side Yard Setback	Varies	TBD
Rear Yard Setback	The lesser of 20% of lot depth or 20'	TBD
Usable Open Space: residential only	160 sq. ft. per lodging room or 1-bedroom unit; 320 sq. ft. for >1-bedroom units	TBD (see Zoning comment 3)
Maximum Lot Coverage	85%	TBD
Maximum Building Height	5 stories/ 68'	TBD

*Zoning table prepared by: Jenny Kirchgatter, Assistant Zoning Administrator*