

The Community of

Bishops Bay



Master Development Plan

The Community of Bishops Bay Master Development Plan

Submitted By:

The Community of Bishops Bay LLC



T. Wall Properties
Creating Places Where People Interact



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Chapter One:



Introduction

The Community of Bishops Bay (Bishops Bay) represents a comprehensive approach to neighborhood planning that will address the growth needs of the City of Middleton and Town of Westport for the next twenty-plus years. This Master Development Plan (“the Plan”) provides the general zoning and land division framework for Bishops Bay. The Plan includes seven unique neighborhoods (see the Regulating Plan maps in Chapter Four).

Commercial, multi-family residential, traditional neighborhood development-style (TND) residential, and manor/golf estate residential will develop in the City of Middleton. The Town of Westport portion of Bishops Bay will include residential lots in hamlets amidst prairie and agricultural areas, as well as a limited number of manor/golf estate lots and wooded conservation lots. The varying neighborhoods and housing types are intended to accommodate a wide variety of ages and income levels.

This Bishops Bay Plan was designed to minimize grading and preserve the site’s natural features as its central organizing element. The site’s primary ridgelines, trees, drainage features, and viewsheds are devoted to public use, and provide structure to the Plan. The land use character of the Bishops Bay community transitions from urban mixed-use at the corner of CTH Q and Oncken Road to single-family residential in the center of the site to rural residential on the eastern portion of the site. Stormwater management within the area will integrate a combination of detention areas, infiltration/water quality areas, and bioretention islands, and will utilize modern management methods, such as treatment trains and daylighting of stormwater conveyance.

Bishops Bay represents a special planning concept that not only fully integrates the protection of water quality and unique natural features, but also introduces the concept of “agricultural urbanism.” This concept weaves local production of high-value fruits and vegetables into the design of the Bishops Bay. Produce will be farmed, harvested, and consumed within the area, integrating a truly sustainable component into the neighborhood fabric. Combined with a market approach to energy

efficiency, water conservation, and, potentially, renewable power, Bishops Bay takes the next step in the sustainable community movement.

Bishops Bay Context

As shown on the Context Map on page 3, the Bishops Bay is generally bounded by County Highway Q on the west, Oncken Road on the north, County Highway M on the east, and existing development, Holy Wisdom Monastery, and the Bishops Bay Country Club on the south. Governor Nelson State Park and Dorn Creek are adjacent to the east and north edges of development, respectively. Pheasant Branch Conservancy is about a half mile to the southwest of Bishops Bay. The Plan provides connections from the neighborhood to these natural areas, and connections *through* the neighborhood from one natural area to the other.

The Bishops Bay site is a unique mixture of wooded ridgelines and fields. This Plan has been designed to preserve much of the existing landform, and reserve the most striking vistas and natural areas for public enjoyment. The ridgelines will serve as the backbone of the extensive trail system and integrate Bishops Bay into its surroundings.



The design of Bishops Bay represents the cooperative effort between the City of Middleton and Town of Westport. The eastern portion of Bishops Bay is located in the Town, and serves as a transition from the urban development in the City of Middleton to the rural agriculture and natural areas in the Town of Westport. The Plan's

commitment to this transition defines the City of Middleton's western and northwestern edge.

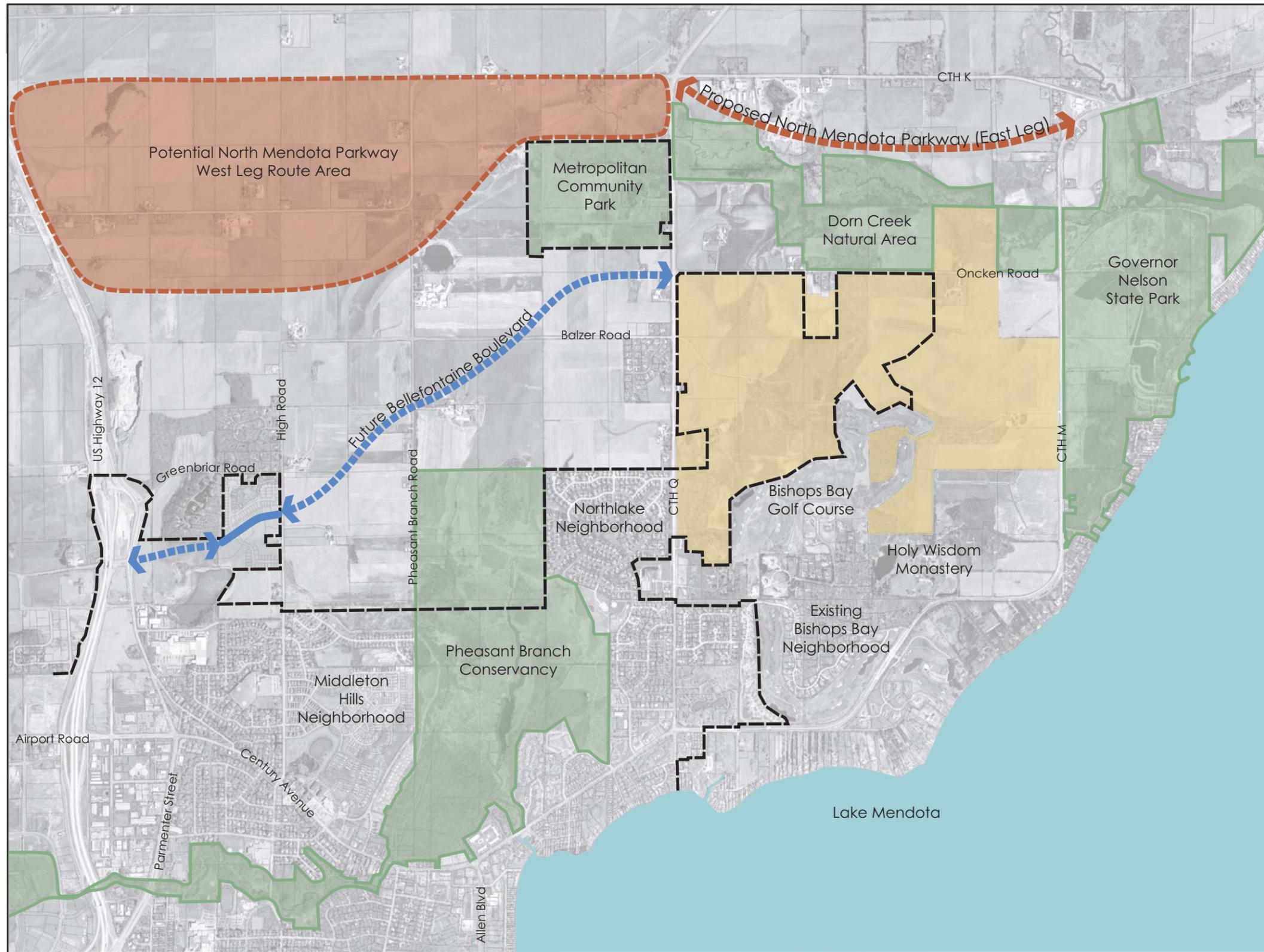
The urban portion of Bishops Bay is contiguous to existing City development at the southwest corner of the site, approximately three miles northeast of Downtown Middleton. The planned completion of Belle Fontaine Boulevard will make Bishops Bay well located to access the Beltline/USH 12 and the employment centers of Downtown Middleton, Greenway Center, Discovery Springs, the Old Sauk Trails business park, Tribeca Village, and the future U.W. Research Park II. The City of Madison's east side employment center and Downtown business district are also easily accessible via existing infrastructure.



Bishops Bay & Area Comprehensive Plans

The City of Middleton and the Town of Westport have been cooperatively planning for this area for more than 13 years. The communities have entered into a joint planning agreement, created extraterritorial zoning for the area covered by this GIP, created a Joint Zoning Committee ("the Committee") to plan and review development proposals in the area, and adopted a joint Comprehensive Plan for the area in 2000. Prior to submittal of this document, the Committee worked through an extensive planning process with property owners in the area to assist in creation of a master plan for development of the area. The Committee granted concept approval to the Bishops Bay plan on February 25, 2009.

Map 1: Bishops Bay Regional Context



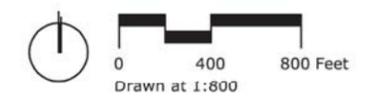
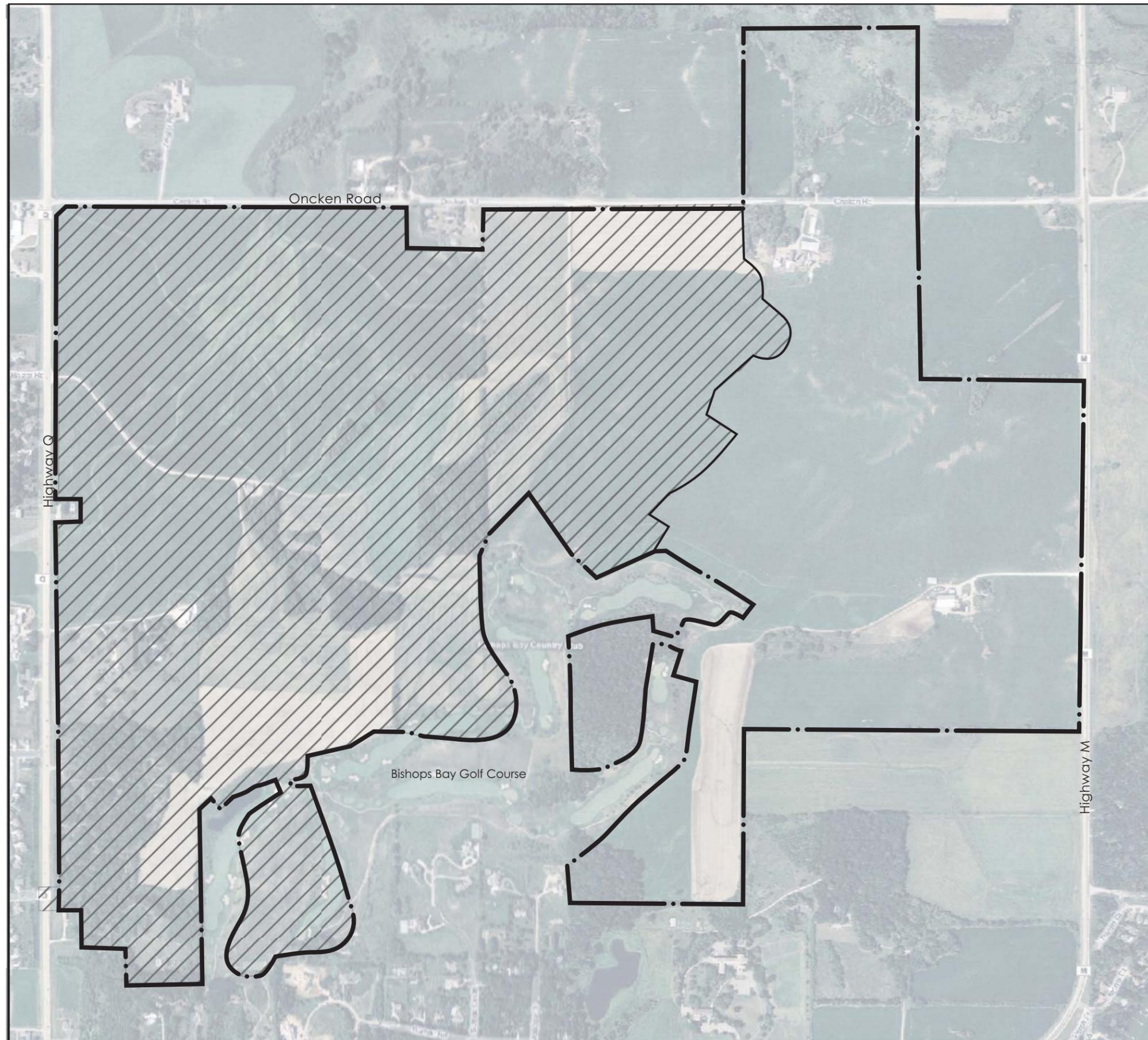
- KEY
- North Mendota Parkway
 - Existing City of Middleton Boundary
 - The Community of Bishops Bay
 - Existing Park/Conservancy Areas

Not to Scale

Map 2: Bishops Bay Boundary

KEY

-  Bishops Bay Boundary
-  Approximate City of Middleton Ultimate Anticipated Annexation



This Plan has been designed to comply with goals contained in the Joint Comprehensive Plan, including:

- Identify, preserve and obtain street and trail linkages to the east, north, and west.
- Encourage traditional neighborhood development where appropriate.
- Create transition zones between rural and urban development.
- Preserve environmentally sensitive land.
- Link parkway system to provide continuous trails to existing and proposed Westport and Middleton systems.
- Address parking and recreation areas as land is proposed for development.
- Encourage a mixture of housing types and sizes.

On February 25, 2009, the City of Middleton/Town of Westport Joint Planning Committee adopted a resolution that determined that the Bishops Bay plan complied with the City of Middleton/Town of Westport Joint Comprehensive Plan.

In addition to fulfilling the goals of the City/Town joint plan, the Bishops Bay Plan addresses many of the goals and objectives of the City's and Town's separate Comprehensive Plans, the County's Comprehensive Plan, and the Capital Area Regional Plan Commission's (CARPC) goals and objectives.

Purpose of this Document

This Master Development Plan serves as:

- A Planned Development District – General Implementation Plan (PDD-GIP) for the City of Middleton portion of the Community of Bishops Bay under Section 10.88 of City of Middleton ordinances.
- A PDD-GIP for the Town of Westport portion of the Community of Bishops Bay under 10.96(10),

which covers zoning regulations in the Middleton/Westport Joint Planning Area.

- A Comprehensive Development Plan (CDP) under Section 19.05(4) of City of Middleton ordinances for lands within the City.
- An ordinance creating Design Review District (DRD) under Section 10.99(8) of City of Middleton ordinances for the City of Middleton portion of the Community of Bishops Bay.

The intent of this document is to provide the City and Town with sufficient details to approve the zoning and land division requirements listed above, while also retaining the flexibility that will be necessary when plans are drawn at the level of detail of a preliminary and final plat.

The area governed by this document is shown in Map #2.

Development Process

The Bishops Bay development team worked with the Joint Zoning Committee on the development plan for the area in late 2008 and early 2009. The Committee granted concept approval to the project on February 25, 2009. The Middleton City Council approved this Master Development Plan document on March 1, 2011, subject to the staff memo dated February 4, 2011. The staff memo has been included in this document as Appendix B.

This Plan represents a GIP zoning document, a CDP platting document, and a Design Review District document. Prior to any development occurring, a final plat/Specific Implementation Plan (SIP) will have to be submitted by the development team and approved by the City or the Joint Zoning Committee/Town.

Bishops Bay is projected to create over \$500 million of assessed value and over \$2.5 million in annual tax revenues at full build-out.

Format of this Document

Because much of the information required for a GIP, CDP, and DRD is similar, the four portions of this document are interconnected. Instead of splitting the document into GIP, CDP, and DRD chapters, the following chapters comprehensively address all requirements for each component:

1. *Introduction:* This chapter introduces the Bishops Bay development concept, discusses the surrounding land context for Bishops Bay, reviews the process of developing the Bishops Bay concept and the project's approvals to-date, and gives an overview of the purpose and format of this document.
2. *Background and Analysis:* This chapter gives details on the various neighborhoods of Bishops Bay, compares the development with "traditional suburbanism."
3. *Vision:* This chapter lists the guiding vision for Bishops Bay as a whole, and the individual neighborhoods within Bishops Bay. The Community of Bishops Bay and its neighborhoods were conceived with these principals in mind.
4. *General Development Plan:* This chapter contains the design and use regulations for lots within Bishops Bay.
5. *Parks, Recreation, and Natural Areas:* This chapter describes the parks, recreation, and natural areas in Bishops Bay.
6. *Infrastructure and Utilities:* This chapter describes and illustrates how utilities, roads, and trails will serve the lots within Bishops Bay.
7. *Administration:* This chapter lists procedures for SIPs (and SIP amendments), Design Review, GIP amendments, Conditional Uses, and other miscellaneous provisions that govern Bishops Bay.

This document also contains a number of appendices that are relevant to interpretation of

the document and the future development of the Bishops Bay community. Photographs appear in many places throughout the document. Photos have been included for illustrative purposes only.

Chapter Two:



Background & Analysis

The Bishops Bay Site Plan

The Bishops Bay Plan was heavily influenced by the site's topography and surroundings. The organizing element of the entire community is the ridgeline that runs through the center of the site. The ridgeline, and its lake and Capitol views, were preserved for public enjoyment as part of a 50 acre park and natural area. The main road — a landscaped parkway boulevard — winds its way through Bishops Bay below the northern edge of the ridgeline. The northwestern quadrant of the community includes a proposed man-made lake and recreation area that enhances an existing low-lying area. Similarly, drainage swales in the eastern portion will be enhanced as natural corridors and become part of the community's extensive trail network. There are approximately 10 miles of trails in Bishops Bay, including the paved connection that follows the parkway route to link the existing Northlake neighborhood and Pheasant Branch Conservancy with Governor Nelson State Park, creating a regional commuter route.

The site plan meshes with the surrounding area by connecting to the existing street network, expanding the trail network, and respecting adjacent land. The more urban area of Bishops Bay is the western portion of the community, close to existing City of Middleton development. From west to east, the neighborhoods transition from the dense Town Center and multi-family components to the single-family Landing traditional neighborhood, to the hamlets of agricultural and prairie residential found in the Town's of Westport's Farm and Prairie neighborhoods. Larger lots line the existing Bishops Bay Golf Course. The eastern edge of Bishops Bay is buffered from County Highway M by prairie land to retain a rural feel and connect the Holy Wisdom prairie restoration to the south with Governor Nelson State Park to the east.

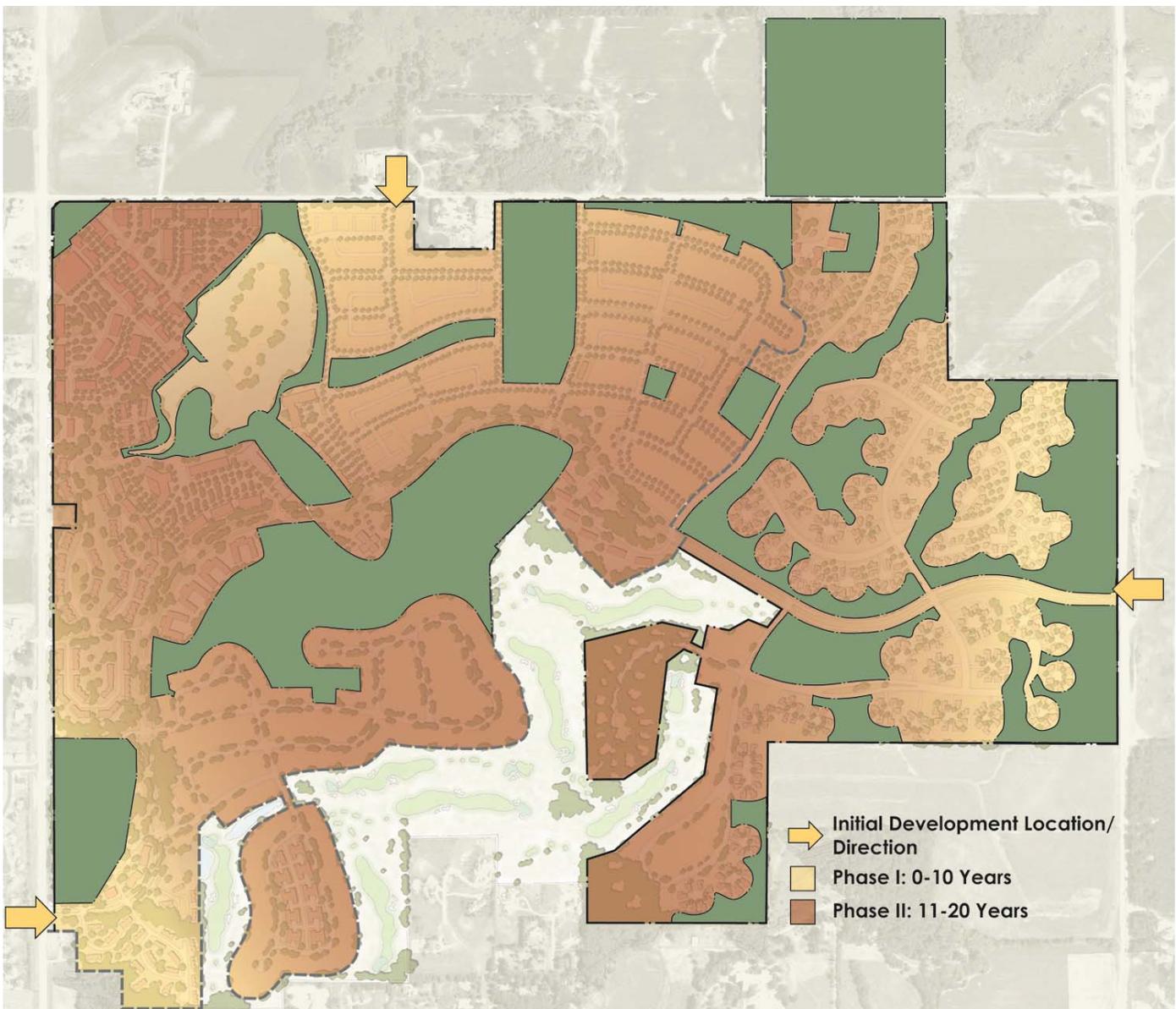
Development of Bishops Bay will proceed according to market demand; it is anticipated that Bishops Bay will develop over the next 10-20 years. The diagram below illustrates likely starting points for the phased construction of the neighborhoods.

The Bishops Bay site plan is split into seven distinct neighborhoods: the Town Center, The Commons, The Estates, The Landing, The Woods, The Farm, and The Prairie. The different styles are reflected in the Neighborhoods Map on page 21. Neighborhoods were arranged to place the Town Center at the highest visibility intersection in Bishops

Bay, and concentrate the highest density residential (in the Commons and the Landing) within easy walking and bicycling distance of the Town Center. Each neighborhood is described in detail below.

Town Center

The northwest corner of the site (CTH Q and Oncken Road) contains Bishops Bay's retail and service businesses. The Town Center is designed to be a mixed-use community gathering space, combining neighborhood-scale retail and office,



residential, and recreational facilities to create a neighborhood center.

The Bishops Bay Town Center consists of up to 300,000 square feet of retail and office space, plus approximately 100 apartments/condominiums located above first floor retail/office development. The Town Center contains a retail anchor to serve nearby neighborhoods. The Town Center is designed to address the needs of vehicular traffic and pedestrians.

The Commons

An area of multi-family residential and senior multi-family residential housing is to the south of the Town Center, within walking distance. This multi-family area will feature a mix of condominiums, apartments, and senior living units.

The Landing

The Landing is a TND located in the north-central area of Bishops Bay, along Oncken Road between the Town Center and the rural residential areas to the east, and is within easy walking distance to the Town Center. This area is residential, and will be designed in a new urbanist style. The neighborhood will be comprised mainly of small-lot single-family residential, with some townhomes, small attached residential development with limited setbacks, and multifamily near the Town Center and ridgeline. Some of the single-family lots are planned to be served by alleys. Pedestrian walkability, strong design standards, and compact design are emphasized in this neighborhood. The Landing will be well-connected to the adjacent Town Center and civic area with pedestrian and vehicle linkages. Additionally, a school site and other civic uses are located at the heart of the Landing so that children from throughout the Community of Bishops Bay can easily walk to school and other community activities.

The Estates

Bishops Bay integrates the existing Bishops Bay golf course into the overall design. The Estates portion of

the development fronts 18,000 lineal feet of the "Country Nine" of the course. Homes with golf course frontage will have similar densities and design covenants to the existing Bishops Bay development to the south. Away from the course, the neighborhood transitions to smaller lot single-family residential, with some planned fourplex units.

The Farm

The northeast corner of the site near the intersection of CTH M and Oncken Road is an agriculturally-based residential neighborhood. The design of this neighborhood integrates residential hamlet homes and community agricultural uses to create a unique style of development. The area has small hamlets of 4-12 units which will be surrounded by active farmland. Residents in this neighborhood will be encouraged to maintain a garden plot on their own lot. Keeping of chickens and other compatible livestock will be allowed in this neighborhood in limited quantities.

Community garden plots will be developed, and may be owned or leased by individual residents throughout the Community of Bishops Bay. Integrating farming operations into the development will allow the education of the community on farming techniques and the importance of food production.

The planting, cultivation, and harvesting will likely be done by a combination of individual garden plots, a resident farmer, and Community Supported Agriculture (CSA) type farming operations. The larger community agricultural areas may be operated by resident farmers as a CSA model, or by the neighborhood association. The resident farmer could manage centralized greenhouses, equipment, compost bins, small livestock operations, and food market stands.

The Prairie

The southeastern area of the site is devoted to clustered residential development within a native

prairie preserve. The native prairie character of Governor Nelson State Park and the Holy Wisdom Monastery property will be extended and connected through the prairie neighborhood. Most prairie restoration areas will be owned and maintained by the neighborhood association. Areas of prairie grass will buffer the neighborhood from CTH M. Small home clusters with limited mowed lawns and covenants on private lots requiring prairie preservation will allow the prairie to thrive.

The Woods

A residential neighborhood is planned for a wooded area surrounded by the existing Bishops Bay golf course. The Woods neighborhood will have narrow streets and limited building footprints to reduce the impact on the existing trees. Additional measures, such as covenants and deed restrictions, will be taken to preserve mature trees and maintain the densely wooded character of the neighborhood.

Bishops Bay vs. Traditional Suburbanism

The Plan diverges from “Traditional Suburbanism” in several ways:

- The Plan is more dense than Dane County’s existing Central Urban Service Area (CUSA) — Bishops Bay contains up to 10 units per acre of residential land, whereas the existing CUSA has a residential density of 6.6 units per acre. Not only is the Plan more dense than most suburban development, the Plan is also more dense than existing urban development.
- Unlike most suburban developments, where the best vistas are set aside for the most expensive homes, the best views in Bishops Bay have been set aside for public use as parks, trails, and conservancy land. This benefits the entire Community of Bishops Bay, as well as the City and Town.

- Bishops Bay provides many different types of residential housing, with a variety of different ownership/rental options, lot size options, price points, and living styles.
- Pedestrian and bicycle connections are common throughout Bishops Bay. The highest density residential uses are located within easy walking distance of the Town Center, enabling many residents to access retail shops and service uses without using cars.
- In addition to the Plan containing a mix of uses, the proposed Town Center area will contain mixed-use buildings for people seeking a more urban environment.
- The Town portion of Bishops Bay integrates active agricultural land around clustered housing, giving residents an opportunity to live amongst active farms and farm their own plots of land.

Chapter Three:



Community

Vision

This chapter covers the overall Vision for the Community of Bishops Bay. The Vision consists of a set of governing principles that shall guide the development and quality of the General Implementation Plan, Comprehensive Development Plan, and Design Review District throughout the life of the project. In addition to guiding principles for Bishops Bay as a whole, there are more specific principles that apply to individual neighborhoods. The overall Vision statements should be applied to the entirety of Bishops Bay, and the neighborhood statements to each respective neighborhood. The ultimate build-out of Bishops Bay will occur over time, and as such, the vision contains broad statements to allow for Bishops Bay to adapt to satisfy changing market demands now and in the future.

Bishops Bay Overall Vision

The Community of Bishops Bay will bring back traditional and historical styles and forms of living in Wisconsin, where there is not only a mix of incomes and land uses, but a myriad of ways to connect with the land through a variety of recreational and agricultural activities. Bishops Bay will recreate small-town Wisconsin, where residents can “age in place” — e.g., young residents can become homeowners, raise a family, and as residents age they are able to remain in the Community with a wide variety of senior housing options. The variety of ages and civic spaces will allow residents of varying ages and backgrounds to interact and help each other—for example, seniors will easily be able to volunteer at the school or community center, and food harvested from Bishops Bay farmland can be sold to residents and consumed at the community school.

Bishops Bay will adhere to the following guidelines:

- Concentrate the highest density residential areas within walking distance of the Town Center, civic areas, and transit stops to encourage

walking, transit use, and use of the Town Center as a daily gathering place for residents.

- Distribute recreation and natural areas throughout Bishops Bay to provide residents access to a wide variety of outdoor activities without having to get in a car.
- Buildings and landscaping shall contribute to the physical definition of streets as civic places to enhance the built and natural form and function.
- Development should adequately accommodate automobiles while giving priority to the pedestrian, bicyclist, and the spatial form of public areas to promote alternate modes of transportation and the use of outdoor spaces.
- Provide a diverse range of housing types, sizes, and price levels within Bishops Bay to accommodate diverse family ages and incomes to support a livable community.
- The design of streets and buildings shall reinforce safe environments, balanced with accessibility.
- Architecture and landscape design shall grow from the local climate, topography, history, and building practice to encourage naturally sustainable systems.
- Civic buildings and public gathering places shall be provided as locations that reinforce community identity and support self-government.
- Civic buildings shall be distinctive and appropriate to a more prominent role than the other buildings that constitute the fabric of Bishops Bay.
- Create a centrally-located, easily accessible civic area to encourage community interaction.
- Provide a wide range of civic and commercial destinations for most residents within easy

walking distance to create a healthy, vibrant community where people interact.

Town Center Vision

The Town Center will become the commercial, civic and social core of the Community of Bishops Bay and nearby neighborhoods. The Town Center will develop over time—as a result, the area will be eclectic, with a variety of architectural designs and building types (e.g., buildings could be designed to look like an old house converted to multitenant retail and office use). The Town Center will address daily shopping needs, specialty shopping, and recreational opportunities in a pedestrian-friendly urban setting. The Town Center will support community events and will serve as an interactive community gathering place.

- Provide a center for retail, restaurants, and services to be supported by the Bishops Bay community and surrounding areas.
- Provide a mix of integrated residential and commercial uses within the Town Center and within individual buildings throughout the day.
- Attract one or more larger anchor tenants that will help support smaller, more specialized shops and services by attracting customers.
- Lay out sites and design buildings in a manner that is pedestrian and bicycle friendly while still allowing for adequate automobile parking, circulation, and easy access.
- To the extent possible, locate buildings closer to the street to define the public realm, shield large expanses of parking from the street, and provide easy pedestrian access to businesses.

Commons Vision

The Commons will be a multigenerational urban residential neighborhood for active lifestyles. Multifamily housing will be provided within walking distance of shopping, parks, recreation, and trails. The selection of housing and proximity to other

neighborhood features will make The Commons particularly attractive to both young and old households.

- Provide a variety of multi-family housing opportunities for different ages, incomes, and household sizes.
- Provide a mix of owner- and renter-occupied multi-family housing.
- Design sites to encourage interaction and connectivity with surrounding neighborhoods and natural areas.
- Foster walkability by locating building entrances close to the street and providing paths to destinations.
- Provide a higher residential density than other Bishops Bay neighborhoods to increase walking and bicycling and reduce driving to adjacent commercial and civic destinations.
- Encourage bicycle use by providing sufficient bicycle parking for both residents and visitors.
- Facilitate walkability by allowing lot types with rear-alley garage access to limit the crossing of sidewalks by driveways.
- Lay out streets and lots in an overall grid pattern to facilitate easy movement from one place to another.
- Connect with surrounding neighborhoods to encourage walking or bicycling to nearby recreational, community, gardening, and retail opportunities.
- Provide housing type variety within the Landing, including a limited number of multi-family units.

Landing Vision

The Landing will be primarily a single family neighborhood designed as a Traditional Neighborhood Development. This neighborhood will feature compact neighborhood layout, range of lot types, and robust architectural covenants. High-quality neighborhood form, walkability and design that promotes resident interaction are hallmarks of the Landing.

- Create a walkable residential neighborhood with smaller lots and narrower streets compared to what would typically be found in a suburban neighborhood.
- Pull homes closer to the street to encourage interaction between neighbors and create “outdoor rooms.”
- Create interesting architecture forms with an emphasis on functionality and authenticity.
- Provide a mix of single-family lot sizes, with larger lots concentrated along the golf course to accommodate larger homes and garages.
- Maintain Capitol and Lake Mendota views by providing public access to high points and creating viewshed protection on specific parcels where necessary.
- Limit direct access to the golf course by providing access at limited, controlled points.
- For lots facing the golf course, create a site layout and architectural feel that closely follows existing Bishops Bay golf-course development to the south.
- Promote compatibility with the existing golf course by providing ball-retrieval easements and maintaining high-quality architectural standards.

Estates Vision

Of all the neighborhoods in the Community of Bishops Bay, The Estates neighborhood will relate most closely with the existing Bishops Bay residential neighborhood, Country Club, and golf course. The Estates will have larger lots, homes and yards in a golf estate setting.

Woods Vision

The Woods has been designed as a secluded group of single family lots nestled inside an existing forest stand and accessed with a narrow private street with low-impact infrastructure to minimize the impact on existing trees. Private covenants will require natural materials on home exteriors and small building footprints to preserve the existing forest and minimize the visibility of houses from the surrounding golf course.

- Minimize the impact on existing trees by requiring a tree preservation plan, requiring that no lawns be installed, and maintaining tree clearing limits within neighborhood covenants.
- Limit density to maintain a rural, secluded neighborhood character and retain a large number of existing trees.
- Conceal home from surrounding areas by maintaining a woodland buffer.
- Design infrastructure to have as low of an impact as reasonably possible on the forest environment (i.e., no curb and gutter).
- Limit direct access to the golf course by providing access at limited, controlled points.

Farm Vision

The Farm will integrate rural living with agriculture. Drawing inspiration from the traditional Wisconsin farm, this neighborhood has small hamlets of single family homes set amongst working belts of farmland, orchards, and community gardens. The agricultural lands are woven throughout the neighborhood, maximizing the interaction between residential and agricultural uses. The planting, growing, and harvest of produce within the neighborhood is a key component of the farm vision.

- Create a community garden area to serve residents of the entire Bishops Bay community.

- Provide working tracts of farmland to be operated by a farmer, with assistance from residents if they wish.
- Maximize interaction of working farm areas with surrounding home clusters and the entire Community of Bishops Bay by integrating features such as a children's learning plot and providing agriculture-related classes for residents.
- Allow residents to keep garden plots on their own land, in addition to participating in neighborhood- and community-wide agricultural operations.
- Provide pedestrian and bicycle connections around the Farm to encourage other neighborhood residents to walk or bicycle to community garden plots and participate in agriculture-related activities.
- Encourage organic practices to promote healthy living and an environmentally responsible agriculture.
- Maintain a buffer of at least 250 feet of farm and/or prairie land between residences in the neighborhood and CTH M.

Prairie Vision

The Prairie features a collection of single family homes grouped in hamlets and set amongst a restored prairie that connects established landscapes of Governor Nelson State Park and the Holy Wisdom Monastery. Home lots will have restrictions on the amount of mowed turf grass they can maintain. The entire prairie will be managed by the neighborhood association to maintain the long-term health of the landscape.

- Re-establish prairie in selected areas to better connect the southeast corner of Bishops Bay with the surrounding ecosystems of the Governor Nelson and Holy Wisdom Monastery prairie restoration areas.

- Require residents, through covenants, to landscape lots with plants that are compatible with surrounding prairie restoration areas and limit areas devoted to traditional turf grass.
- Maintain Capitol and Lake Mendota views by providing high points under public or neighborhood control and creating viewshed protection deed restrictions on specific parcels where appropriate.
- Maintain a buffer of at least 250 feet of farm and/or prairie land between residences in the neighborhood and CTH M.
- Enhance water quality and groundwater recharge.

Parks, Recreation, Natural Areas, and Community Facilities Vision

The Bishops Bay Community will feature a robust system of parks, recreation, natural areas, and community facilities to nurture a strong community culture and promote healthy lifestyles amongst residents. Ten miles of trails are woven throughout the community to ensure every household is connected to a wide range of natural areas that support a variety of recreational opportunities. These areas also act as gathering places for public and private events — bringing people together for festivals, holiday events (e.g. Fourth of July celebrations), public and private celebrations (e.g. graduations and weddings), seasonal festivities (e.g. Winterfest, Octoberfest), and lawn games (e.g. Bocce). The parks system adds to the flavor and cohesiveness of the community and, thereby, strengthens the sense of belonging, ownership, and pride.

- Provide a mix of community facilities and open space to serve the Community of Bishops Bay and surrounding areas in order to serve a

variety of age groups and recreation space demands.

- Link external parks, prairies, conservancies, and trails with Bishops Bay parks and trails to facilitate a cohesive system that is open to residents.
- Maintain a paved trail network along routes of regional commuter significance and mulch/gravel/mowed trails on local/neighborhood trails.
- Hold community buildings to high standards of site design, architecture, and connectivity to their surroundings.
- Minimize grading for the ridgeline park area and maintain the park as a recreation and natural area.
- Reconnect people of all ages, especially youth, with nature by encouraging un-programmed play in natural areas.

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Chapter Four:



General

Implementation Plan

This chapter addresses many of the points contained in the General Implementation Plan portion of the City's Planned Development District ordinance, as contained in sec. 10.83 (4) of the zoning code. Some points, such as parks and infrastructure, are covered in subsequent chapters. The purpose of the GIP is to maintain the community vision and quality of the built environment. PDD-GIP zoning will better accommodate the intent of the vision by: allowing smaller lots, permitting more compact right-of-way, and better facilitating a mix of land uses, among other things.

This GIP chapter is split into seven sections:

- The **Regulating Plan** maps neighborhoods and blocks, and establishes what types of lots and uses are allowed within each neighborhood. The Regulating Plan serves as the zoning map for Bishops Bay, and also serves as an overview map for the City's Comprehensive Development Plan (CDP) under 19.05(4) of the City's subdivision code.
- **Lot and Building Form Standards** create the zoning districts for Bishops Bay, addressing setbacks and maximum building heights, among other things. This section is the main component of a Design Review District for Bishops Bay, allowed by Section 10.99(8) of the City's zoning code (Chapter 7 provides additional information on Design Review). Architectural standards for single-family residential will primarily be covered by private design covenants enforceable by the Bishops Bay Owner's Association.
- The **Land Use Standards** section shows which land uses are allowed on what types of lots.
- **Landscaping Standards** will govern landscaping for Townhome Residential, Multi-family Residential of more than four units, Mixed-Use, Commerce, and Neighborhood Civic districts. Landscaping standards for residential of fewer than five units will primarily be covered by private

design covenants enforceable by the Bishops Bay Owner’s Association.

- **Parking Standards** for Bishops Bay address parking for Townhome Residential, Multi-family Residential of more than four units, Mixed-Use, Commerce, and Neighborhood Civic districts, with a focus on the Town Center neighborhood. Some parking standards are included for residential development of fewer than five units.
- **Lighting Standards** for Bishops Bay address outdoor lighting within the community.
- **Signage Standards** for Bishops Bay describe the regulations governing signs in the community.

Regulating Plan

The Regulating Plan is comprised of two maps: the Neighborhoods map and the Blocks and Lot Types map. The **Neighborhoods** map illustrates the seven different neighborhoods in Bishops Bay. Each neighborhood will have its own character, but remain interconnected with other neighborhoods in Bishops Bay. The zoning district chart in this section shows which lot types are allowed in which neighborhoods. The intent of the Regulating Plan is to establish the character of each neighborhood while allowing a measure of flexibility so future SIP submittals can respond to market needs at the time the SIP is submitted. The neighborhood map shows general neighborhood boundaries. Those boundaries will be refined and adjusted as SIPs with lot layouts are submitted.

The **Block and Lot Type** map contained as part of this Regulating Plan illustrates how Bishops Bay is expected to develop. Build-out of the entire area is anticipated to take 10 to 20 years, and this document must allow for responsiveness to the future market. As such, precise lot lines are not included. The Block and Lot Type map (including street and alley layouts) may be modified as part of future SIP submittals, so long as the lot type is allowed within the neighborhood.

For example, the Landing neighborhood is, overall, envisioned as an area of small-lot single-family residential, with several blocks being accessed via alleys. The neighborhood does allow variety in the type of lot within the overall theme — six different lot types are allowed within the Landing neighborhood. If demand for cottage-type lots proves to be stronger than anticipated, the lot plan may be adjusted accordingly as part of an SIP when that document is submitted.

Neighborhood Density

Bishops Bay as a whole (as shown in Map #2) shall not exceed a total of 2,950 residential dwelling units. Most neighborhoods in Bishops Bay allow several different lot types. Because different mixtures of lot types will result in different densities, it is important to specify an anticipated density for each neighborhood. The residential densities in the chart below result in 2,950 residential units in Bishops Bay. Densities were calculated based on neighborhood boundaries as shown in Map #3 (which means densities include ROW and some parks). Some adjustments may be made between neighborhoods, resulting in some variation in neighborhoods’ residential densities, but Bishops Bay overall will not exceed 2,950 residential units without specific approval of the Plan Commission

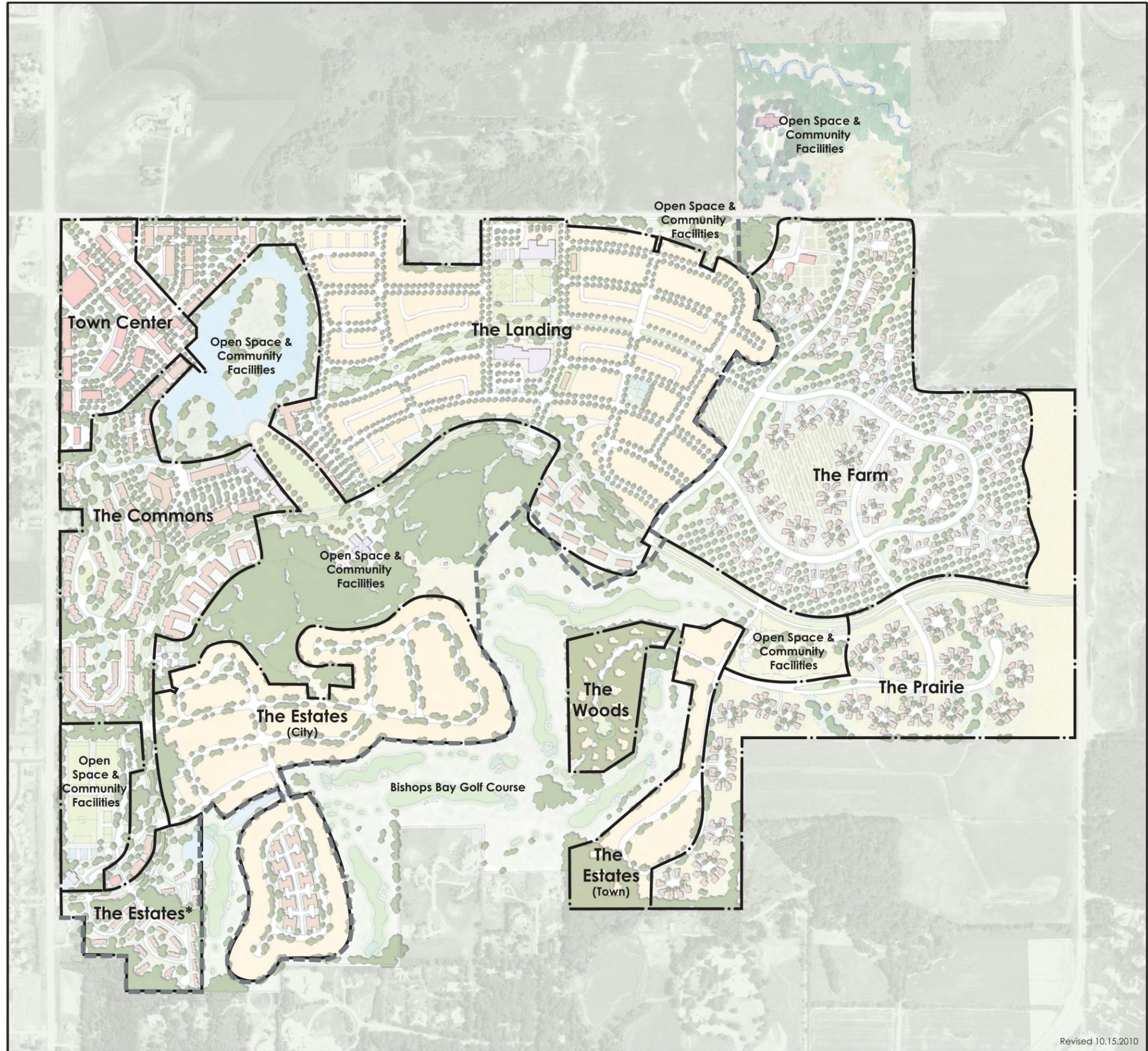
Neighborhood	Anticipated Density	Unit
Town Center	300,000	Sq. Ft. Commercial
	3.6	Dwelling Units/Acre
The Commons	14.5	Dwelling Units/Acre
The Estates (City)	4.2	Dwelling Units/Acre
The Estates (Town)	2.0	Dwelling Units/Acre
The Woods	1.5	Dwelling Units/Acre
The Landing	6.0	Dwelling Units/Acre
The Farm	2.3	Dwelling Units/Acre
The Prairie	2.0	Dwelling Units/Acre

Map 3: Regulating Plan Neighborhoods

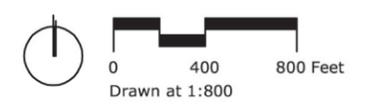
- Anticipated City of Middleton/ Town of Westport Boundary
- - - Neighborhood Boundary

NOTES:

- Individual neighborhood boundaries are approximate.
- The Farm, The Woods, The Prairie and the east portion of The Estates are located in the Town of Westport.

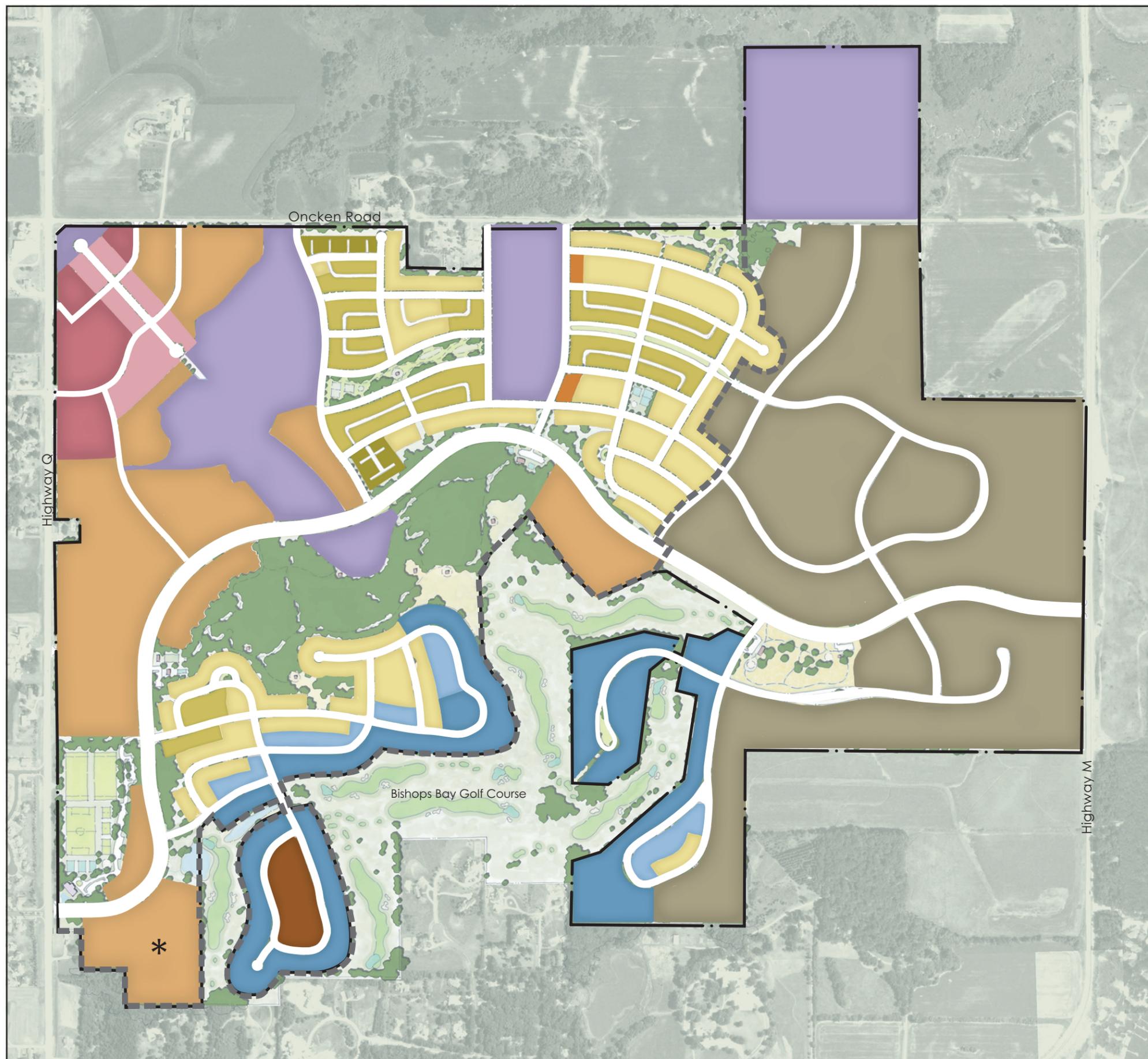


* Only this portion of the Estates neighborhood can use the MF-R lot type.



Revised 10.15.2010

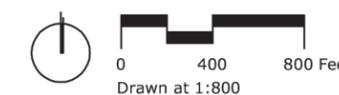
Map 4: Regulating Plan Blocks & Lot Types



-  Planning Boundary
-  Anticipated City of Middleton/Town of Westport Boundary
-  Cottage Residential Lots (CO-R):
1800 SF, Min. 30' Wide
-  Garden Residential Lots (G-R):
4500 SF, Min. 45' Wide
-  Village Residential Lots (V-R):
6000 SF, Min. 55' Wide
-  Manor Residential Lots (M-R):
9500 SF, Min. 75' Wide
-  Golf Estate Residential Lots (GE-R):
20,000 SF, Min. 100' Wide
-  Cluster Residential Lots (CI-R):
5000 SF, Min. 50' Wide
-  Terrace Residential Four-Plex Lots (T-R):
Min. 60' Wide
-  Townhome Residential (TH-R)
-  Multi-Family Residential Units (MF-R)
-  Neighborhood Civic (NC)
-  Mixed Use (MU)
-  Commerce (C)

- Notes:**
- See the Lot & Building Form Standards section for more details.
 - Public park areas shown will likely be designated civic as part of the SIP process.
 - As described in the Regulating Plan text, lot types shown may be changed as part of the SIP process, provided the changes are consistent with the zoning district lot type chart contained in this section.

- * Only this portion of the Estates neighborhood can use the MF-R lot type.



Neighborhood	Zoning District (Lot Type)											
	Cottage Residential (Co-R)	Garden Residential (G-R)	Village Residential (V-R)	Manor Residential (M-R)	Golf Estate Residential (GE-R)	Cluster Residential (Cl-R)	Terraced Residential (T-R)	Townhome Residential (TH-R)	Multi-family Residential (MF-R)	Mixed-Use (MU)	Commerce (C)	Neighborhood Civic (NC)
Town Center									●	●	●	●
The Commons							●	●	●	●		●
The Estates—West (City)		●	●	●	●		●		● ¹			
The Estates—East (Town)			●	●	●							
The Woods				●	●							
The Landing	●	●	●				●	●	●			●
The Farm												●
The Prairie												●
Community Facilities												●

1: Multi-family residential will only be allowed in the Estates in the area shown on Map 4. The multi-family lot type cannot be used anywhere else in the Estates neighborhood.



(for the City), or the Joint Zoning Committee (for the Town).

The Parks, Recreation, and Natural Areas portion of the development has no maximum density; each community facility structure will be reviewed separately.

Building Footprints

Conceptual building locations for the Town Center area are shown on Map #3. Actual building locations will vary, and will be determined as final lot lines are set via the SIP process and by site plans submitted as part of the Design Review process.

As is apparent from the footprints shown on Map #3, the intent is to have many buildings fronting the street, with parking in the center of blocks or lots. While building layout is conceptual, there will be one or more anchor stores. For example a grocery store may anchor the commercial component of the Town Center.

Buildings are also intended to line up along an axis from the Oncken Road/CTH Q intersection southeast across the lake to the Village Green and church site, creating a “main street” feel and opening the interior of Bishops Bay to view from the primary intersection on the periphery of the neighborhood. This viewshed will be terminated by a church, which will be located below the peak of the ridgeline.

Lot & Building Form Standards

This section contains general regulations for different types of developments (below). More specific architectural and design regulations will be regulated by Bishops Bay covenants.

Encroachments — General

Encroachments are architectural features that may intrude into the minimum setback in a given district and that do not appreciably add to the

mass of a building or structure. Examples of encroachments are:

- Eaves;
- Awnings;
- Façade signage;
- Unenclosed balconies;
- Stoops;
- Unenclosed porches (porches in the encroachment area may have a roof, but may not have screens or windows, and may not have an enclosed area above the portion of the porch that is in the encroachment area);
- Bay window in the front and rear setback encroachment areas only;
- Decks that are no more than four feet above ground level at any point under the deck in the rear setback encroachment area only (retaining walls or other landscape features that are used to artificially increase the ground level shall not be considered in the deck height calculation).

Stairs shall not be considered an encroachment, but the first vertical rise shall be outside the right-of-way. Patios/paths shall not be considered encroachments, so long as they follow the natural contours of the lot.

The Mixed-Use and Commerce lot types allow encroachments into the public realm to accommodate improvements, such as awnings, that do not impede public use of the adjoining area or right-of-way.

Lot Lines — General

As noted in Appendix A (Definitions), lot lines generally follow existing City of Middleton definitions for single-family detached residential. The definition of various yards (front, side, rear, etc.) is based on the lot line. However, for Co-R, CI-R, T-R, TH-R, MF-R, MU, C, and NC lots, the type of lot

line may not be immediately obvious or follow the traditional lot line definition. Therefore, lot lines for lots within those lot types may be designated when an SIP is submitted. For Co-R and CI-R lots, the front lot line may not face a street.

Structure Heights — General

The following structures are permitted to exceed the maximum height regulations within any lot type where the use is allowed: church spires, belfries, cupolas and domes, water towers, flagpoles, chimneys, communication towers and elevator penthouses. Communication towers within residential districts (designated as “-R”) shall not exceed a maximum height of seventy-five (75) feet above grade.

If roofs are constructed at a pitch of 12:12 or less, space above the eave line that receives light through dormers shall not be counted as a floor, regardless of whether the space can be considered livable area according to building codes.

Vision Triangles — General

Corner lots shall comply with City of Middleton vision triangle requirements.

Single-Family Residential — General

The following standards are for the Co-R, G-R, V-R, M-R, GE-R, CI-R, and T-R districts.

Entrances

Main entrances to all units shall face the front lot line, except that entrances on T-R lots may face side lot lines.

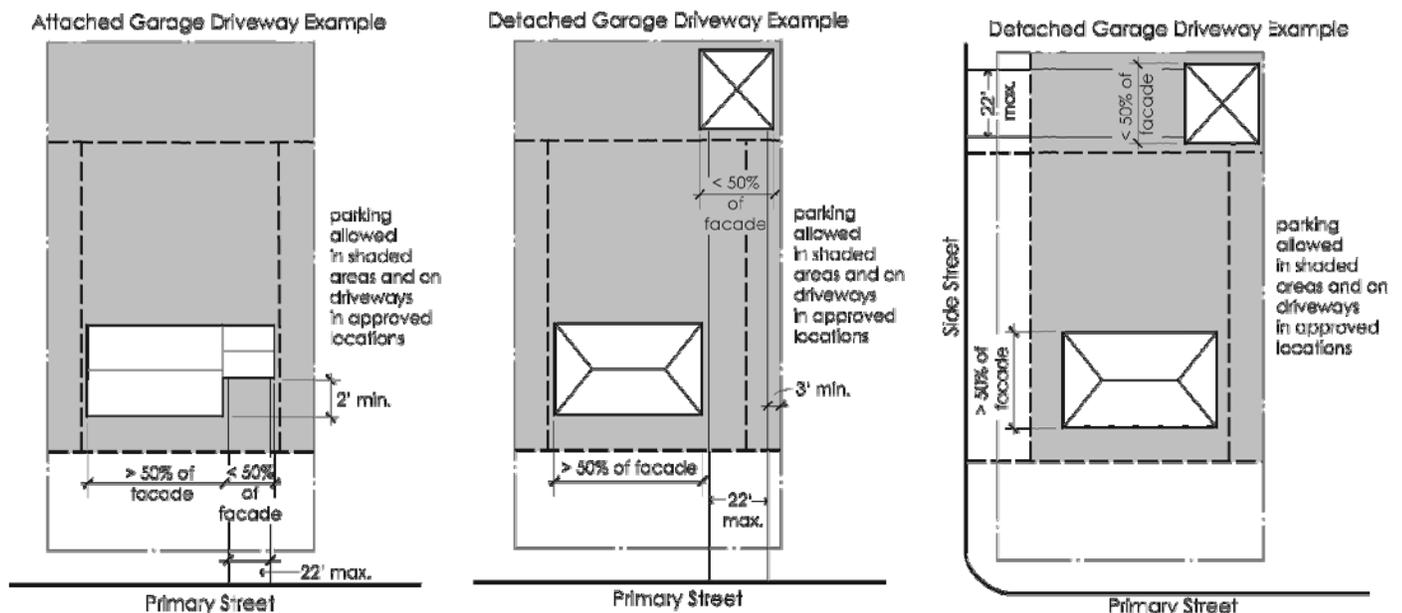
Garages

Garages accommodating three or four cars are allowed if:

- The garage is alley-loaded or does not otherwise face a public street; or
- If the garage door is only two cars wide (i.e. a tandem garage).

Three-car garages in the Estates may face the street; four car-garages are allowed in the Estates, but must be side-loaded.

Residential Garage Diagrams

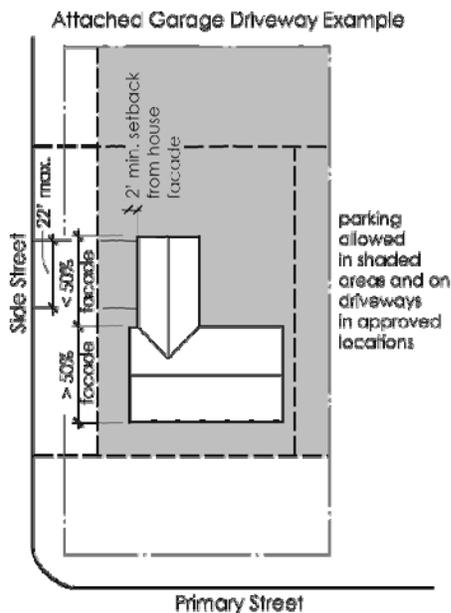


Presumably, garages will be sized at up to 280 square feet per car, but may be larger if the increased size does not result in additional garage frontage on a public street (by either the garage door or garage wall).

Lots may not have both an attached garage and a detached garage without specific approval of the Bishops Bay Owner's Association.

All street-accessed garages shall comprise less than 50% of the façade of:

- The primary structure facing street right-of-way (in the case of an attached garage);



- The primary structure plus the detached garage facing street right-of-way (in the case of a detached garage accompanying the primary structure).

In the case of lots that front on more than one street right-of-way, only the façade facing the same street as the garage door shall be counted towards the 50% ratio.

Lots with street-accessed garages and minimum and maximum setbacks must have at least 40% of the home's façade between the minimum and maximum setback and set at least two feet forward of the garage. Home façade that is set back further than the garage entrance does not count in the 40% calculation. Side street sides or fronts of homes on lots with minimum and maximum setbacks that do not have a street-accessed garage shall have at least 60% of the home between the minimum and maximum setback.

Driveway regulations are contained in the Parking Standards section later in this chapter.

Storage Buildings/Sheds

Storage sheds of up to 200 square feet are allowed on lots that are larger than 7,000 square feet.

Non-enclosed storage of items shall follow Section 10.21(4)(i) of the City of Middleton ordinances.

Accessory Structures

Additional standards for accessory structures are contained in the Accessory Uses and Structures subsection of the Land Use section later in this chapter.

Lot Dimensions

Residential lots listed in this subsection have maximum lot dimensions. These maximum lot dimensions may be waived by the Plan Commission or the Committee as part of the SIP process. See Chapter 7 for more discussion.

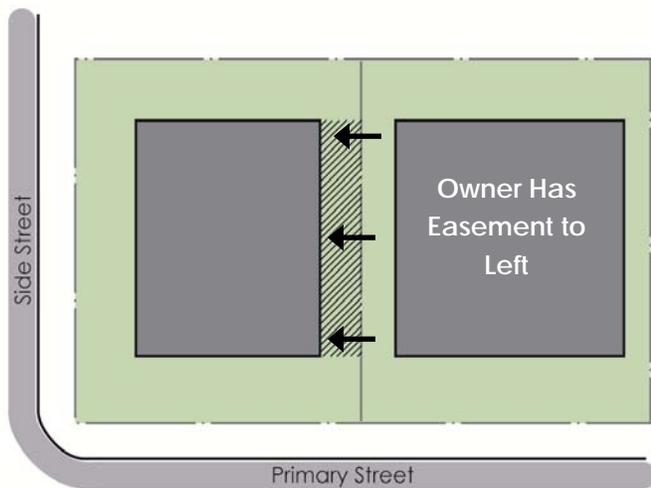
As part of the SIP, lots may have side yard



easements placed upon them to allow for each home site to have a useable side yard, even if minimum setbacks are employed. Easements would restrict the side yard use and potentially side yard windows. Please see the accompanying diagram and photo for examples. The hatch marks in the diagram illustrate the lot on the right having a side yard easement on the lot on the left.

Other Elements

Please see the "Accessory Uses" subsection of the Land Use section later in this chapter for regulations concerning decks, hard surface play areas, and pools.



Lot & Building Form Standards Summary Chart

The following chart summarizes specifications for lot types shown on the Regulating Plan Blocks & Lot Types map (Map #4). Each lot is described in more detail on the following pages.

Specification	Cottage Residential (Co-R)	Garden Residential (G-R)	Village Residential (V-R)	Manor Residential (M-R)	Golf Estate Residential (GE-R)	Cluster Residential (Cl-R)	Terraced Residential (T-R)	Townhome Residential (TH-R)	Multi-family Residential (MF-R)	Mixed-Use (MU)	Commerce (C)	Neighborhood Civic (NC)
Setback												
Front—Min./Max.	5/12	7/15	7/15	20/—	25/—	7/20	5/20	5/15	5/—	0/20	0/—	10/—
Side Street—Min./Max.	5/15	10/20	10/20	15/—	20/—	15/—	5/20	5/20	5/—	0/10	0/—	10/—
Side—Min.	0**	6	7	10	15	7	7	7	7**	0**	0**	10*
Rear—Min. Alley Lot	5	5	5	n/a	n/a	n/a	7	5	n/a	n/a	n/a	n/a
Rear—Min. Non-Alley Lot	n/a	15	20	25	25	10	20	20	20	10	10	10*
Lot Specifications												
Lot Width—Min./Max.	30/50	45/60	55/75	75/130	100/180	50/200	60/200**	100/—	100/—	15/—	15/—	100/—
Lot Depth—Min./Max. ^	40/60	80/120	90/140	100/170	110/210	65/200	120/200	70/160	100/—	50/—	50/—	100/—
Minimum Lot Area (sq. feet)	1,800	4,500	6,000	9,500	20,000	5,000	6,000†	1,800†	600†	600†	—	—
Height												
Main Building, Max.—Feet	35	35	35	35	35	35	35	45	85	85‡	60	60
Main Building, Max.—Stories	3	3	3	3	3	3	3	3	6	6‡	4	4
Accessory Structure, Max.	15	15	15	15	15	15	15	15	15	15	15	25
Encroachments												
Front, Max.	2	2	2	6	7	2	2	2	5	6	6	2
Side Street, Max.	2	2	2	3	5	2	2	2	5	6	6	2
Side, Max.	0	0	2	3	3	2	2	2	5	0	0	2
Rear, Max.—Alley Lot	2	2	2	—	—	—	2	5	—	—	—	—
Rear, Max.—Non-Alley Lot	—	5	7	10	10	2	5	5	5	0	0	2

Notes: All numbers in feet unless otherwise noted; district standards pages have more detail—should there be any discrepancy between this chart and the district standards page for the district in question, the district standards page shall govern.

* 20 feet when adjacent to a residential (—R) property.

** See district standards page for more detail.

^ Lots shall not have a width greater than the lot's depth.

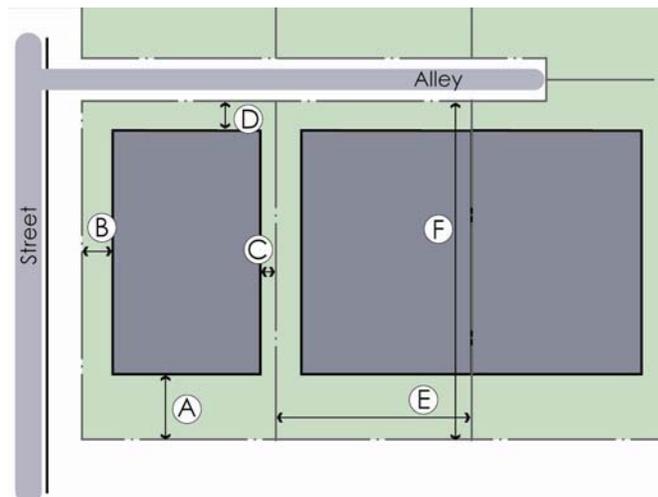
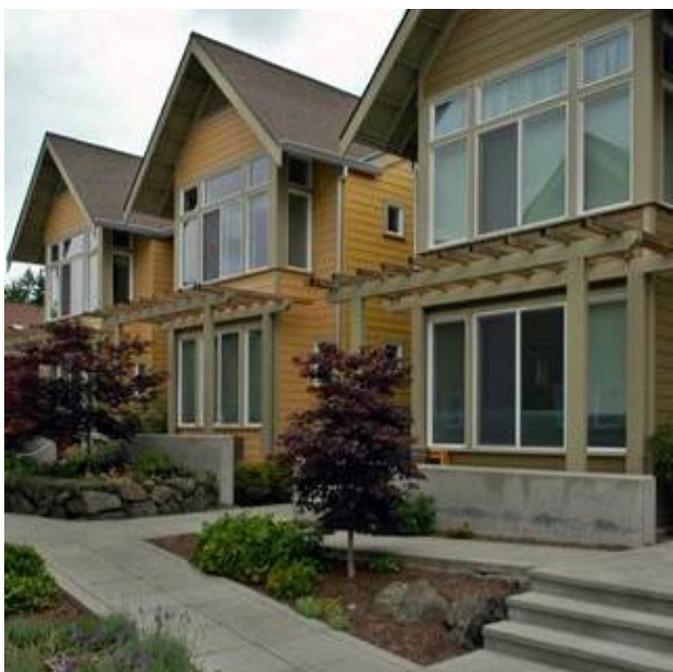
† Per dwelling unit.

‡ Minimum height also applies—see district standards page for more detail.

Bishops Bay: Cottage Residential (Co-R) Standards

Description & Purpose

The Cottage Residential designation is for small lot single-family residential. Units may be detached, but, due to the small size of the lots, are expected to be mainly attached units. Units will likely be designed to look distinct, as opposed to the typically more uniform materials, colors, massing, and overall general appearance of townhomes. Lot lines (front, side, etc.) for Cottage lots may be set at the SIP level. Front lot lines may or may not face a public street; fronts of units may face a common or shared walkway.



Lot & Building Specifications

Setback

Front	5' min., 12' max.	A
Side Street	5' min., 15' max.	B
Side	0' min.*	C
Rear	5' min.	D

Lot Specifications

Lot Width	30' min., 50' max.	E
Lot Depth	40' min., 60' max.	F
Minimum Lot Area	1,800 sf	

Height

Main Building, Max.	3 stories, 35'
Accessory Structure, Max.	1 story, 15'

Encroachments

Front, Max.	2'
Side Street, Max.	2'
Side, Max.	0'
Rear, Max.	2'

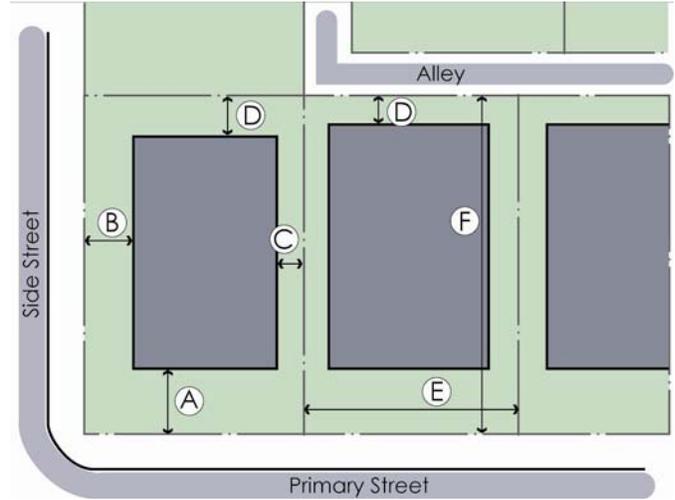
*In cases where there is separation between units, the setback must be 5 feet.

Note: Garages shall be alley-loaded.

Bishops Bay: Garden Residential (G-R) Standards

Description & Purpose

The Garden Residential designation is for small-lot detached single-family residential. These lots follow the overall Traditional Neighborhood Development style, with primarily alley-loaded vehicle access, small lot sizes, and small setbacks.



Lot & Building Specifications

Setback

Front	7' min., 15' max.	A
Side Street	10' min., 20' max.	B
Side	6' min.	C
Rear	5' min. for alley lots 15' min. for other	D

Lot Specifications

Lot Width	45' min., 60' max.	E
Lot Depth	80' min., 120' max.	F
Minimum Lot Area	4,500 sf	

Height

Main Building, Max.	3 stories, 35'
Accessory Structure, Max.	1 story, 15'

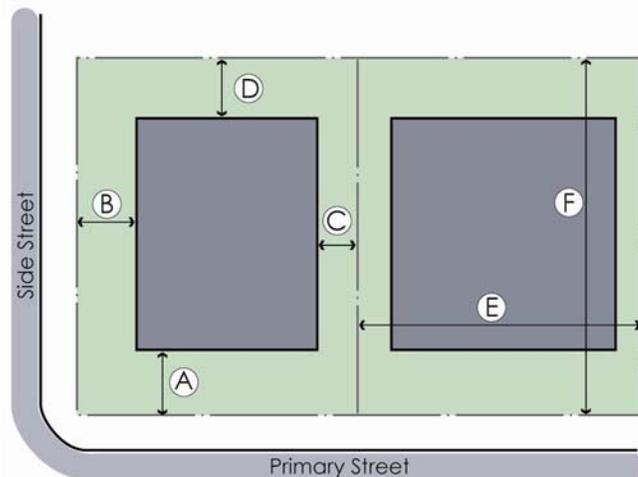
Encroachments

Front, Max.	2'
Side Street, Max.	2'
Side, Max.	0'
Rear, Max.	2' for alley lots 5' for other

Bishops Bay: Village Residential (V-R) Standards

Description & Purpose

Village residential lots are mid-size lots that may either be alley-loaded or street loaded.



Lot & Building Specifications

Setback

Front	7' min., 15' max.	A
Side Street	10' min., 20' max.	B
Side	7' min.	C
Rear	5' min. for alley lots 20' min. for other	D

Lot Specifications

Lot Width	55' min., 75' max.	E
Lot Depth	90' min., 140' max.	F
Minimum Lot Area	6,000 sf	

Height

Main Building, Max.	3 stories, 35'
Accessory Structure, Max.	1 story, 15'

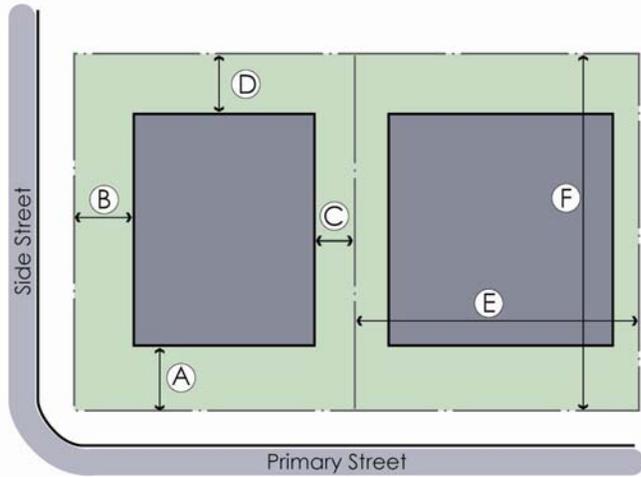
Encroachments

Front, Max.	2'
Side Street, Max.	2'
Side, Max.	2'
Rear, Max.	2' for alley lots 7' for other

Bishops Bay: Manor Residential (M-R) Standards

Description & Purpose

Manor residential lots are larger single-family lots that are located in the Estates neighborhood.



Lot & Building Specifications

Setback

Front	20' min.	A
Side Street	15' min.	B
Side	10' min.	C
Rear	25' min.	D

Lot Specifications

Lot Width	75' min., 130' max.	E
Lot Depth	100' min., 170' max.	F
Minimum Lot Area	9,500 sf	

Height

Main Building, Max.	3 stories, 35'
Accessory Structure, Max.	1 story, 15'

Encroachments

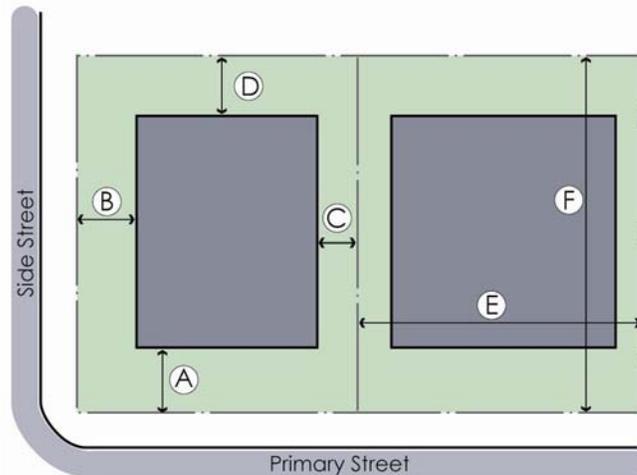
Front, Max.	6'
Side Street, Max.	3'
Side, Max.	3'
Rear, Max.	10'



Bishops Bay: Golf Estate (GE-R) Standards

Description & Purpose

Golf Estate lots are the largest single-family residential lots in Bishops Bay. Most of these lots will front the golf course, though some may be located elsewhere in the Estates neighborhood.



Lot & Building Specifications

Setback

Front	25' min.	A
Side Street	20' min.	B
Side	15' min.	C
Rear	25' min.	D

Lot Specifications

Lot Width	100' min., 180' max.	E
Lot Depth	110' min., 210' max.	F
Minimum Lot Area	20,000 sf	

Height

Main Building, Max.	3 stories, 35'
Accessory Structure, Max.	1 story, 15'

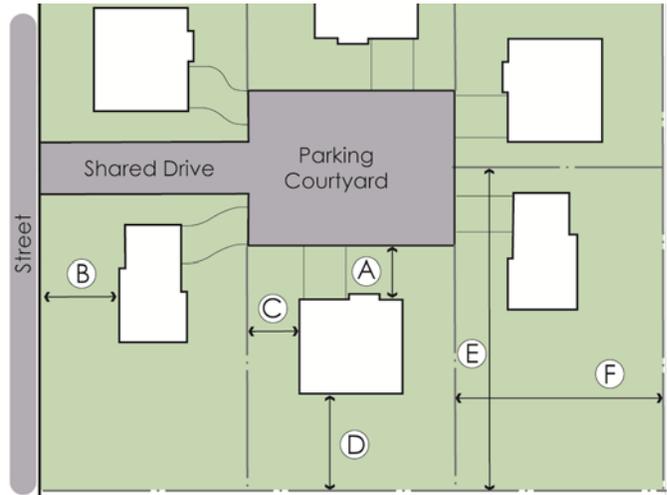
Encroachments

Front, Max.	7'
Side Street, Max.	5'
Side, Max.	3'
Rear, Max.	10'

Bishops Bay: Cluster Residential (CI-R) Standards

Description & Purpose

Cluster residential lots will be located in the Prairie and Agricultural areas of Bishops Bay. Typical clusters will range from four to twelve lots accessed from a common drive and courtyard area. Most clusters will be adjacent to agricultural areas, prairie areas, or natural trail corridors. Lot lines (front, side, etc.) for Cluster lots may be set at the SIP level. Front lot lines may or may not face a public street; fronts of units may face a common parking courtyard. "Lots" in this district may be land condominium units, or may be platted lots with farm or prairie conservation easements on part of the lot.



Lot & Building Specifications

Setback

Front (courtyard)	7' min., 20' max.	A
Public Street	15' min.	B
Side	7' min.	C
Rear	10' min.	D

Lot Specifications

Lot Width	50' min., 200' max.	E
Lot Depth	65' min., 200' max.	F
Minimum Lot Area	5,000 sf	

Height

Main Building, Max.	3 stories, 35'
Accessory Structure, Max.	1 story, 15'

Encroachments

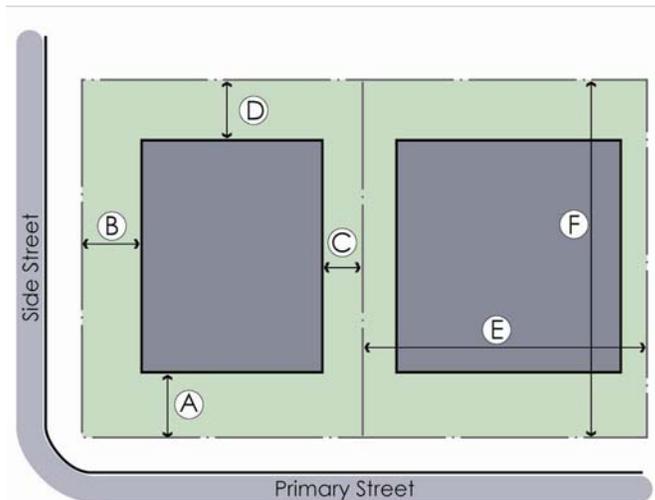
Front, Max.	2'
Side Street, Max.	2'
Side, Max.	2'
Rear, Max.	2'



Bishops Bay: Terraced Residential (T-R) Standards

Description & Purpose

Terraced Residential lots are designated for two-, three-, or four-unit residential. Each unit will have its own garage and front entrance, but may be served by a common driveway. Most garages should face common driveways or an alley, and not a public street.



Lot & Building Specifications

Setback

Front	5' min., 20' max.	A
Side Street	5' min., 20' max.	B
Side	7' min.	C
Rear	7' min. for alley lots 20' min. for other	D

Lot Specifications

Lot Width*	60' min., 200' max.	E
Lot Depth	120' min., 200' max.	F
Minimum Lot Area (per du)	6,000 sf	

Height

Main Building, Max.	3 stories, 35'
Accessory Structure, Max.	1 story, 15'

Encroachments

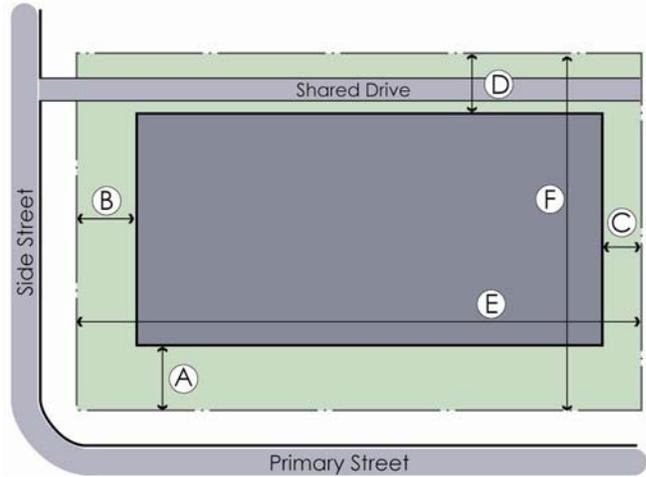
Front, Max.	2'
Side Street, Max.	2'
Side, Max.	2'
Rear, Max.	2' for alley lots 5' for other

* Lots must be at least half as wide as they are deep.

Bishops Bay: Townhouse Residential (TH-R) Standards

Description & Purpose

The Townhome Residential district is intended for 2-3 story single-family attached or multi-family dwellings. Vehicle access in this district shall be off of a rear alley or common driveway. The majority of units shall have entrances that lead directly outside. Lot width will generally be longer than lot depth. Units must be accessible via a primary entrance along a street-facing façade when the building fronts both a parking lot/alley and a public or private street.



Lot & Building Specifications

Setback

Front	5' min., 15' max.	A
Side Street	5' min., 20' max.	B
Side	7' min.	C
Rear	5' min. for alley lots 20' min. for other	D

Lot Specifications

Lot Width	100' min.	E
Lot Depth	70' min., 160' max.	F
Minimum Lot Area (per du)	1,800 sf	

Height

Main Building, Max.	3 stories, 45'
Accessory Structure, Max.	1 story, 15'

Encroachments

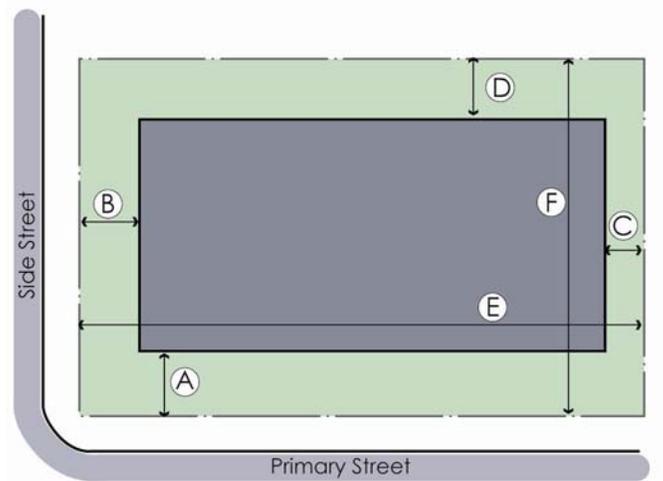
Front, Max.	2'
Side Street, Max.	2'
Side, Max.	2'
Rear, Max.	5'



Bishops Bay: Multi-family Residential (MF-R) Standards

Description & Purpose

The multi-family residential district will encompass a variety of development that caters to different age groups, incomes, and ownership preferences. Units must be accessible via a primary entrance along a street-facing façade when the building fronts both a parking lot/alley and a public or private street.



Lot & Building Specifications

Setback

Front	5' min.	A
Side Street	5' min.	B
Side	7' min.*	C
Rear	20' min.	D

Lot Specifications

Lot Width	100' min.	E
Lot Depth	100' min.	F
Minimum Lot Area (per du)	600 sf**	

Height

Main Building, Max.	6 stories, 85'
Accessory Structure, Max.	1 story, 15'

Encroachments

Front, Max.	5'
Side Street, Max.	5'
Side, Max.	5'
Rear, Max.	5'

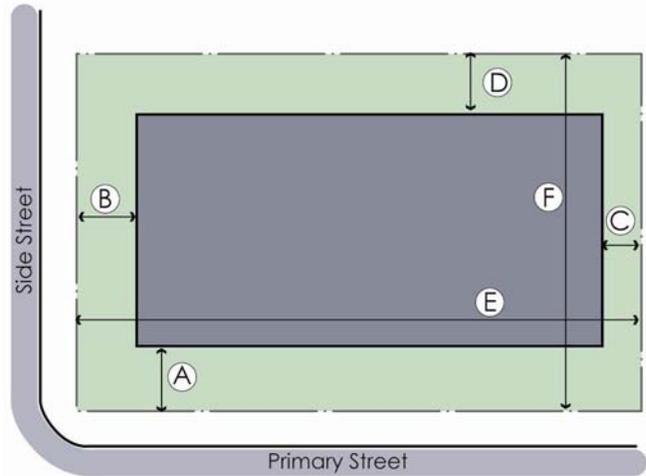
*Add one foot per story for third, fourth, and fifth floors.

** The Plan Commission may waive this minimum for senior housing projects (assisted living, memory care, etc.)

Bishops Bay: Mixed-Use (MU) Standards

Description & Purpose

The mixed-use district enables a neighborhood commercial center comprised of a variety of uses, such as retail, restaurant, service, and office, while allowing multi-family residential development above the ground floor. Street-facing entrances shall remain open for the duration of the occupying business' hours. Front first-floor windows should be common, and are meant to activate the street; such windows shall not be made of frosted glass or obscured or blocked by coverings or signage (beyond what is allowed by the signage regulations).



Lot & Building Specifications

Setback

Front	0' min., 20' max.	A
Side Street	0' min., 10' max.	B
Side	0' min.*	C
Rear	10' min.	D

Lot Specifications

Lot Width	15' min.	E
Lot Depth	50' min.	F
Minimum Lot Area (per du)	600 sf	

Height

Main Building, Min.	2 stories, 30'
Main Building, Max.	6 stories, 85'
Accessory Structure, Max.	1 story, 15'

Encroachments

Front, Max.	6'
Side Street, Max.	6'
Side, Max.	0'
Rear, Max.	0'

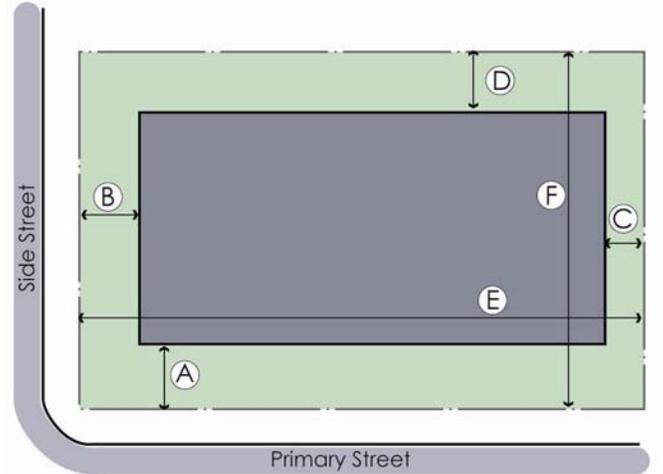
*In cases where there is separation between buildings, the setback must be 5 feet.



Bishops Bay: Commerce (C) Standards

Description & Purpose

The Commerce district is intended for retail, service, hotel, and office uses. The maximum height of four floors allows for office buildings or mixed-use office/ service/ retail buildings. Street-facing entrances shall remain open for the duration of the occupying business' hours. Front first-floor windows should be common, and are meant to activate the street; such windows shall not be made of frosted glass or obscured or blocked by coverings or signage (beyond what is allowed by the signage regulations).



Lot & Building Specifications

Setback

Front	0' min.	A
Side Street	0' min.	B
Side	0' min.*	C
Rear	10' min.	D

Lot Specifications

Lot Width	15' min.	E
Lot Depth	50' min.	F

Height

Main Building, Max.	4 stories, 60'
Accessory Structure, Max.	1 story, 15'

Encroachments

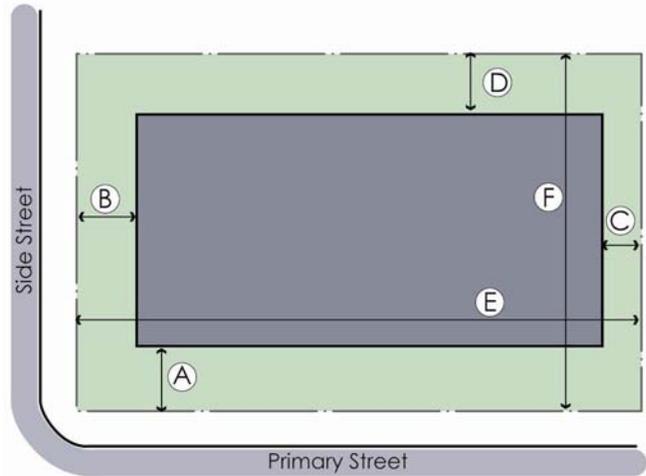
Front, Max.	6'
Side Street, Max.	6'
Side, Max.	0'
Rear, Max.	0'

*In cases where there is separation between buildings, the setback must be 5 feet.

Bishops Bay: Neighborhood Civic (NC) Standards

Description & Purpose

The Bishops Bay Neighborhood Civic district covers much of the open space and park and recreation land in the community, as well as centralized civic sites that will likely be used for community center, school, and church development. Primary structures must be accessible via an entrance along a street-facing façade when the building fronts both a parking lot/alley and a public or private street.



Lot & Building Specifications

Setback

Front	10' min.	A
Side Street	10' min.	B
Side	10' min.*	C
Rear	10' min.*	D

Lot Specifications

Lot Width	100' min.	E
Lot Depth	100' min.	F

Height

Main Building, Max.	4 stories, 60'
Accessory Structure, Max.	2 stories, 25'

Encroachments

Front	2'
Side Street	2'
Side	2'
Rear	2'

* 20' min. when the lot line abuts a residential (R) property.

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Land Use Standards

Principal Land Use Type*	Co-R	G-R	V-R	M-R	GE-R	CI-R	T-R	TH-R	MF-R	MU	C	NC
Agriculture												
Community Garden (1)						P						UP
Crop Production (1)						P						
Livestock Farming (1)						P						
Utilities & Community Facilities												
Library, Museum										P	P	P
Place of Worship										C	C	P
Park/Playground/Open Space (2)	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P
School (public or private)												P
Bus Transfer Point/Bus Depot											C	C
Public Safety Facility											C	P
General Government Offices										P	P	P
Community/Neighborhood Center										P	P	P
Utility Facilities											C	C
Residential												
Dwelling: Multi-family								P	P	P(3)		
Dwelling: Duplex, Triplex, Fourplex							P					
Dwelling: Single-Family Attached	P						P	P				
Dwelling: Single-Family Detached	P	P	P	P	P	P						
Community Living Arrangement	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C			
Retail												
Tavern/Bar										C	P	
Auto-Related Business											P	
General Retail Sales										P	P	
Restaurant										P	P	
Business & Personal Services												
Business & Personal Services										P	P	
Day Care, General										P	P	P
Entertainment & Sports Facilities (5)										C	P	P
Health Care Services										P	P	
Hospital											C	
Hotel/Extended Stay Facility										C	P	
Veterinary Clinic (4)										P	P	

* See previous lot type pages for full lot names associated with abbreviations.

- (1) Beyond what is permitted as an accessory use. Designation of a lot for livestock production, crop production, or community gardening exempts the lot from maximum lot sizes and accessory structure regulations in the CI-R district. To be exempt from maximum lot sizes and accessory structure regulations, lots with these uses must be called out in an SIP. There may not be more than one dwelling unit on a lot designated for livestock farming, crop production, or community gardening. Lots designated for crop production or community gardening must be at least 10,000 square feet. See the livestock farming chart for minimum lot sizes associated with livestock farming.
- (2) Includes public facilities and facilities owned and maintained by the neighborhood association.
- (3) Residential units must be above the ground floor. A multi-family project in the MU area with residential units on the first floor shall be considered a conditional use.
- (4) If keeping of animals overnight (in association with veterinary care) is part of the use, then the use shall be considered conditional.
- (5) Indoor facilities.

Land Use Introduction

The chart to the left specifies what land uses are allowed within the districts contained in Bishops Bay. A "P" designation signifies a permitted use, and a "C" designation signifies a conditional use. A "P/C" designation signifies a use that is permitted in some circumstances and conditional in others (see further descriptions of such items in this land use section). A "UP" designation signifies that a permit is necessary from City or Town staff prior to proceeding with the use. If a space is left blank in the chart, the use is not permitted. Procedures for permitted, use permit, and conditional uses are contained in the Administration chapter of this document (Chapter 7).

Regardless of whether they fall under broader land use categories contained in this document, the following land uses are prohibited within Bishops Bay: payday loan businesses, bail bond services, mini-warehouse storage facilities, motels, kennels, tobacco stores, and adult entertainment regulated by Section 7.13 of City of Middleton ordinances.

The current agricultural uses of parcels, and accompanying facilities and operations, may continue under this document. Lot sales activities may occur as a permitted use throughout the Community of Bishops Bay.

Land Use Descriptions

Definitions of land uses that may not be considered self-explanatory are contained in the definitions appendix to this document. Discussions of uses that require specific descriptions (beyond a definition) are below.

Type of Animal	Min. Lot Size	Points per animal
Cows; Cattle; Calves; Horses; Pigs	3 acres	80
Llamas	3 acres	35
Sheep; Goats; Alpacas	2 acres	20
Turkeys; Geese	1 acre	6
Rabbits; Chickens*, Ducks, and other small fowl	1 acre	2
Fish (aquaculture)	1 acre	0.5
*Roosters are not permitted.		

Livestock Farming

The agricultural area of Bishops Bay (area north of the parkway in the Town) may contain livestock production, such as small-scale dairying, chicken farming, etc. (see chart), that goes beyond typical urban agricultural uses. Livestock farming areas are contemplated as a primary use, or in conjunction with community gardens and crop production, not as an accessory use to a residence. The keeping of chickens and rabbits as an accessory use shall be considered under the "Accessory Uses and Structures" subsection.

One dwelling unit, such as a caretaker's residence, per lot with livestock farming is allowed. Any structure built to house animals in the chart at right shall be at least 100 feet from an adjoining lot line.

Each livestock animal is assigned points according to the chart at right. 100 points per acre is allowed; fractions of an acre may be counted in quarter-acre increments. There are minimum lot sizes associated with animal types as well (see chart at right).

Community Living Arrangements

Community living arrangements are permitted uses within the Bishops Bay Community to the extent required by law (such as Wis. Stats. Sections 62.23(7)(i) and City of Middleton ordinance Section 10.37(3)).

Park, Playground

Except in the NC district, where all park facilities are permitted (subject to design review), parks and playgrounds as a permitted use shall encompass uses typically found at a neighborhood park, such as play fields, play equipment, sports fields (soccer, softball, baseball, etc.), tennis courts, basketball courts, volleyball, winter outdoor ice skating, nature preserves, walking paths, bike trails (for non-motorized use), stormwater management areas, nature preserves and passive recreation areas, and other similar sports, active recreation, and passive recreation outdoor uses.

If the proposed park or playground includes: lighting for nighttime use (beyond normal security lighting), permanent spectator seating, a permanent shelter, concessions for sale, swimming pool, splash pad, golf or related facilities, archery, Frisbee golf, or other uses that are more common to a regional (as opposed to neighborhood) park, then the park shall be considered a conditional use (except in the NC district), and shall be judged against the conditional use appropriateness requirements found in Section 10.37(7) of the City of Middleton zoning ordinance.

Facilities to serve a single dwelling unit do not require conditional use approval. Recreational facilities to serve multiple dwelling units or civic buildings, such as an outdoor pool or outdoor sports courts, shall be considered as part of a project's Design Review.

Schools

Conditional use permit requests for schools shall be reviewed under Section 10.37(5) of the City of Middleton zoning ordinance.

Utility Facilities

For description of what "Utility Facilities" encompasses and for conditional use procedures for utility facilities, see City of Middleton code, Section 10.37(9). Wireless communication facilities, such as cellular phone towers, are included in this designation.

Accessory Uses & Structures

The following uses and structures are considered accessory uses and structures, as defined in Appendix A to this document. Accessory structures shall generally be considered structures which require a building permit prior to construction or installation, even if the specific structure does not appear in the list below. In no case shall accessory structures other than patios be located in the front yard. Unless otherwise noted, accessory structures shall be set back at least three feet from the lot line. Some uses have additional descriptions below or in the definitions section of this document.

Farmer's Market

A Farmer's market is allowed with a in the CI-R and MU districts with a Use Permit (UP), per the Accessory Uses and Structures chart, provided no permanent facilities are associated with the market and all market-related tables, signs, tents, etc., are removed before dusk of the day the market occurs. Please see Chapter 7 for Use Permit procedures. Farmer's Markets are permitted uses in the C and NC districts.

For all districts where markets are permitted or require a use permit, the Plan Commission (in the City) or the Joint Zoning Committee (in the Town) may place further conditions on the operation of the market (such as number of vendors, hours of operation, signage, etc.) if, in the judgment of the Commission or the

Accessory Uses & Structures	Cottage Residential (Co-R)	Garden Residential (G-R)	Village Residential (V-R)	Manor Residential (M-R)	Golf Estate Residential (GE-R)	Cluster Residential (Cl-R)	Terraced Residential (T-R)	Townhome Residential (TH-R)	Multi-family Residential (MF-R)	Mixed-Use (MU)	Commerce (C)	Neighborhood Civic (NC)
Accessory Uses												
ATM										P	P	
Day Care, Family		P	P	P	P	P						
Farmer's Market/Farm Stand (transient)						UP				UP	P	P
Farm Stand (permanent)						UP						UP
On-Site Agricultural Retail (transient)						UP						
Outdoor Sales/Display										UP(6)	UP(6)	
Garage Sale (transient)	P	P	P	P	P	P	P	P				
Garden Plot	P	P	P	P	P	P	P	P	P	P		P
Home Occupation	P	P	P	P	P	P	P	P	P	P		
Livestock Production, Ancillary						P						
Accessory Structures (1)												
Chicken Coop/Rabbit Hutch*						P						
Deck/Patio	P	P	P	P	P	P	P	P(4)	P(4)	P(4)	P(4)	P(4)
Garage, Detached (2)*		P	P	P	P	P	UP	P(4)	P(4)			
Hard Surface Play Area		UP	P	P	P	P	P	P(4)	P(4)	P(4)	P(4)	P(4)
Hot Tub		P	P	P	P	P	P		P(4)	P(4)	P(4)	P(4)
Parking Structure									P(4)	P(4)	P(4)	P(4)
Pool & Pool House*			UP	P	P	P			P(4)	P(4)	P(4)	P(4)
Solar Array (5)	P	P	P	P	P	P	P	P(4)	P(4)	P(4)	P(4)	P(4)
Storage Building/Shed (3)*			P	P	P	P	P	P(4)	P(4)	P(4)	P(4)	P(4)
Wind Tower	C	C	C	C	C	C	C	C	C	C	C	C

* Denotes a structure that must be at least 5 feet from the main structure.

- (1) Accessory structures cannot be taller than 15 feet or taller than the height of the principal structure, whichever is less, unless specifically excepted in lot type standards.
- (2) Detached garages must comply with lot setback standards for the main structure.
- (3) Storage buildings/sheds are allowed in the rear yard only, and must be a minimum of 3 feet from the lot line.
- (4) Permitted use, subject to Design Review.
- (5) May be attached to the main structure (such as solar roof panels) or freestanding. As of the date of this document, the City of Middleton does not have a procedure for protecting solar access. Should one be integrated into the City's zoning ordinance in the future, it shall be considered as an amendment to the Bishops Bay GIP and applicable to Bishops Bay.
- (6) Outdoor sales and display areas are permitted if they are designated and approved as part of design review. Use Permits are only necessary if a new sales/display area is added or an existing area is significantly modified.

Committee conditions have developed that interfere with the character of the neighborhood. Such findings shall be included in any conditions of operation.

Deck

A deck at ground level or at a floor level no more than four feet above ground level at any point under the deck may intrude into the setback encroachment area, but shall not intrude further into the setback (see the Encroachments subsection of the Lot and Building Form Standards section earlier in this chapter). Decks at greater height (under any portion of the deck) are considered part of the main structure and may not intrude into setback or encroachment areas. Retaining walls or artificial mounding of the ground shall not be considered when reviewing whether a deck is four feet or less above ground level. Balconies, such as may typically be integrated into the design of buildings in the TH-R, MF-R and MU districts, shall not count as decks.

Hard Surface Play Area

Hard surface play area means a tennis court, basketball court, or similar sports court/play area. Such areas shall be governed by Section 10.22(4)(k) of City of Middleton ordinances.

Livestock Production, Ancillary

The keeping of up to six chickens or rabbits is permitted as an accessory use in the CI-R district, provided that:

- No roosters shall be kept;
- The chickens or rabbits shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times;
- No enclosure shall be located closer than fifteen feet to a residential structure on an adjacent lot.

Outdoor Sales/Display

Outdoor sales and display of goods is considered an accessory use in Bishops Bay. A use permit is required. Staff shall consider issuance of a use permit based upon the criteria in Section 10.48(x)(iii) of the City of Middleton zoning code.

Pools

Pools shall be governed by Section 10.22(4)(k) of City of Middleton ordinances.

Conditional Uses

See Chapter 7, Administration for a discussion of Conditional Use procedures.

Wellhead Protection

Section 10.97 of the City's zoning code (concerning Wellhead Protection) shall apply to the City of Middleton area covered by this document.

Landscape Standards

Landscaping standards are intended to:

- Enhance and complement the aesthetics of the natural and built environment throughout the community.
- Reduce the negative environmental effects of development while contributing to aesthetically pleasing development which will protect and enhance the appearance, character, health, safety and welfare of the Bishops Bay neighborhoods.
- Reduce the heat island effect of impervious surfaces such as parking lots and roofs by cooling and shading such surfaces.
- Enhance stormwater management in conjunction with planned stormwater management areas.
- Increase the compatibility of adjacent uses by minimizing adverse impacts of noise, dust, light intrusions, and other objectionable views, activities, or impacts from adjacent or surrounding land uses.
- Concentrate landscaping in yards facing public streets to maximize its visibility and present an attractive face to the general public.

There are three subsections below:

- Landscape standards that apply to all development in Bishops Bay
- Landscape standards that apply to commercial and multi-family residential development (with five or more units).
- Landscape standards that apply to single-family residential development, and duplex, triplex, and quadplex units that would be developed in the T-R district.

All landscaping may be further regulated by private covenants in Bishops Bay.

General Bishops Bay Landscape Standards

Standards in this subsection apply to all development within Bishops Bay.

Fences, Walls, and Hedges

At a minimum, fences shall comply with section 10.22(4)(n) of City of Middleton ordinances, with the exception that fences around pools and fences between the C district and residential districts may be up to eight feet tall. Fences may be further regulated by private covenants in Bishops Bay.

Trees

A variety of trees should be used on sites to prevent disease from negatively impacting a sites overall landscaping. Trees and other plants that are under threat of disease should not be used.

Commercial & Multi-family Residential Landscaping

The landscaping standards in this section apply to development in the TH-R, MF-R, MU, C, and NC districts. Landscaping plans shall show all components as described by City of Middleton forms and ordinances (should any specification for what must be shown on a landscaping plan conflict, this ordinance shall take precedence). Vision triangle standards described in Section 10.137 of City ordinances shall be complied with. Unsuitable species listed in the City's landscaping standards are prohibited.

Required landscaped area shall be calculated based upon the total developed area of the property. The point schedule for landscape elements from the City of Middleton Off-Street Parking Areas Specifications and Standards shall be used in calculating how many points each element is worth.

Every 500 square feet of developed area requires 15 landscaping points. Any fractional points shall

be rounded up. In addition to the City landscaping standards, ornamental or decorative fencing or walls may be considered for landscaping points by the City at a rate of 8 points per 10 linear feet.

By order of preference, landscaping shall be placed along street frontages, within parking lot interiors, as foundation plantings, and as general site landscaping. Concentrated emphasis may be placed in specific places within those categories. Specific areas necessitating landscaping are described below.

In instances where property owners have provided exceptional landscaping plans or exceptional architectural features, landscaping requirements may be waived by the Plan Commission if a letter of approval has been issued by the Bishops Bay Owners Association.

Development Frontage Landscaping

Landscaping and/or ornamental fencing shall be provided between buildings or parking areas and the adjacent street(s)/sidewalk(s), except where buildings are placed at the sidewalk. Ornamental fencing shall be no taller than three feet, and shall be “see-through.” Landscape material shall include a mix of trees, shrubs, and perennial groundcover, meeting the following requirements:

- One canopy tree and five shrubs shall be planted for each 50 linear feet of lot frontage. Two ornamental trees or two evergreen trees may be used in place of one canopy tree as long as doing so does not create a visual screen that could become a safety hazard. Tree requirements may be waived if a design has enhanced architectural elements.
- In cases where building façades directly abut the sidewalk, required frontage landscaping shall be deducted from the required point total.
- In cases where building façades are close enough to the sidewalk where planting trees

may cause future harm to the building’s foundation, the Plan Commission may allow alternative landscaping to replace the tree requirements.

- If parking is closer than 15 feet to a public street the parking shall be shielded from the street by a hedge, wall, or fence at least 3.5 feet tall.

Interior Parking Lot Landscaping

All parking lots with 20 or more parking spaces shall be landscaped in accordance with the following standards:

- A minimum of four percent of the asphalt or concrete area of the parking lot shall be devoted to interior planting islands or peninsulas. All planting islands, including those between parking bays, shall be at least nine feet wide from back of curb to back of curb and 160 square feet.
- To provide as much shade as possible, islands between parking bays should have trees planted 30 feet on center.
- Primary plant materials shall be shade trees with at least one canopy tree for every 160 square feet of landscaped area. Islands shall include shrubs, ornamental grasses, or other vegetative ground cover between required trees. Organic natural-colored mulch or natural stone mulch shall be used.
- Islands may be curbed or may be designed with curb cuts or as uncurbed bio-retention areas as part of an approved stormwater management design.
- Site lighting for parking lots may be placed in islands so long as the lights will not be significantly obscured by tree growth. Lights may be stand-alone fixtures within the parking field if needed.

Foundation Plantings

Foundation plantings consist primarily of shrubs and native grasses, and shall be installed along building

façades, except where building façades directly abut the sidewalk.

Screening Along District Boundaries

Screening is encouraged to be provided by owners of property in the C and MU districts along side and rear property boundaries between the C and MU districts and other districts. Screening is considered a solid wall, solid fence, or hedge with year-round foliage, between six and eight feet in height. Screening of not more than four feet in height is encouraged to be provided along the front lot line where parking is present in order to prevent headlight glare.

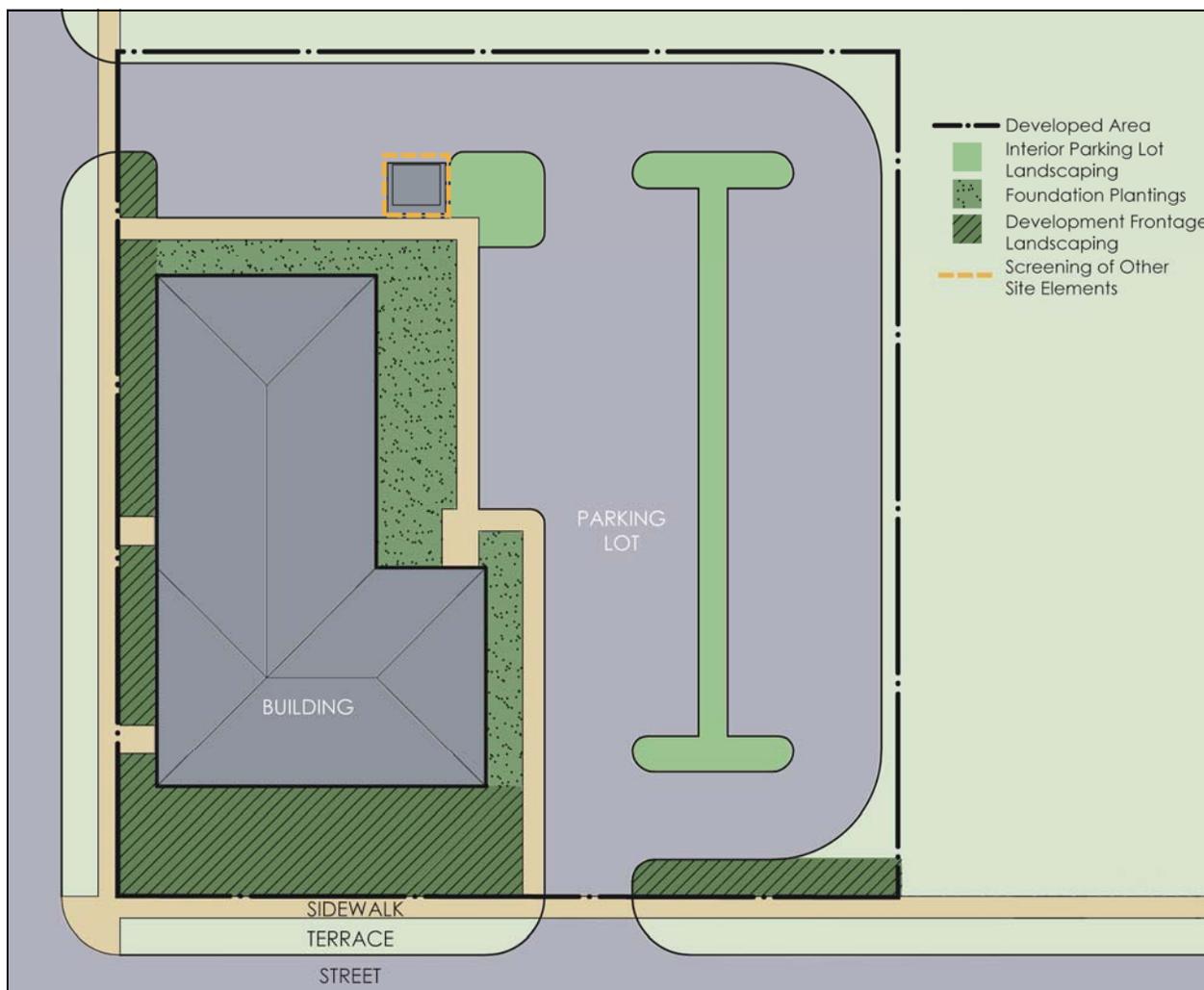
Height of screening shall be measured from Design Review approved grade; berms and retaining walls

shall not be used to increase grade relative to screening height.

Screening of Other Site Elements

In addition to previous screening discussion, the following site elements shall be screened in compatibility with the design elements, materials, and colors used elsewhere on the site, as detailed below. The location of the following items will be reviewed and approved by the Bishops Bay Owner’s Association prior to any submittal to the City for consideration.

Refuse disposal areas: Developments shall provide a refuse disposal area that is screened from all four sides (including an access gate) by a solid, commercial-grade cement board fence, masonry



wall, metal, or equivalent material with a height of six to eight feet. Wood and chain link fences shall not be used for refuse disposal screening.

Outdoor storage areas: Outdoor storage areas shall be screened from abutting residential uses with a wall or commercial-grade cement board fence, metal, year-round hedge, or equivalent material, with a height of six to eight feet. Wood and chain link fences shall not be used for storage area screening

Loading Areas: Loading areas shall be screened from abutting residential uses and from street view to the extent feasible by a wall or commercial-grade cement board fence, metal, or equivalent material, with a height of six to eight feet. Wood and chain link fences shall not be used for loading area screening.

Mechanical Equipment: All rooftop and ground-level mechanical equipment and utilities shall be fully screened from view from any street or residential district, as viewed from six feet above ground level. Screening for ground-level mechanical equipment may consist of a wall, fence, and/or landscaping, as approved by staff.

Maintenance

The owner of the premises is responsible for the watering, maintenance, repair and replacement of all landscaping, fences, and other landscape architectural site features. All planting beds shall be kept weed free. Plant material that has died shall be replaced within 12 months.

Residential Landscaping

This section is intended for residential development in the Co-R, G-R, V-R, M-R, GE-R, CI-R, and T-R districts.

Walls/Retaining Walls

Walls and retaining walls are governed by Section 10.22(4)(c) of City of Middleton ordinances.

Patios/Decks

Patios and decks are governed by Section 10.22(4)(f) of City of Middleton ordinances.

Outdoor Storage Areas

Outdoor storage areas are prohibited for the districts described under the Residential Landscaping subsection.

Parking Standards

Parking design in Bishops Bay shall follow the City's Off Street Parking Areas Specifications and Standards for materials to be submitted (Section A), size and layout of parking areas (C), surfacing (D), and handicapped requirements (E). Staff and the Plan Commission/Joint Zoning Committee may grant exceptions to the above requirements for cause. Parking may be further regulated by private covenants in Bishops Bay.

The main departures from the City's current parking standards, as specified in Section 10.105 of City ordinances and the Off-Street Parking Areas Specifications and Standards document (adopted by the City Council on April 1, 1986 and amended in September 2007) are:

- Landscaping standards for Bishops Bay will not be based upon the number of parking stalls, but instead the amount of developed area on a lot (see previous section on Landscaping Standards, which includes screening for parking).
- Minimum parking requirements shall be waived by the Plan Commission as part of the Design Review process if a sufficient rationale for doing so has been provided by the applicant.
- Shared parking arrangements are permitted, provided sufficient commitments are made to ensure the long-term workability of shared parking arrangements.
- Minimum amounts of bicycle parking will be provided, as detailed in this section.

These deviations from the typical City parking standards have been included as part of this document to:

- Mandate whole-lot landscaping that comprehensively addresses the entire proposed development, rather than basing required landscaping solely on the number of parking spaces.
- Eliminate undue barriers to the reduction of surface parking.
- Minimize the adverse effects of off-street parking and loading on adjacent properties.
- Encourage shared-parking arrangements that serve mixed-use development.
- Reduce costs and increase affordability by eliminating mandated over-provision of parking.
- Encourage bicycle circulation by providing adequate parking and storage space for bicycles.

All parking areas and driveways in Bishops Bay shall be paved with pervious or impervious pavement.

Commerce & Mixed-Use Parking & Driveway Standards

Parking

The standards contained in the City of Middleton's Off-Street Parking Areas Specifications and Standards (Section B) are recommended to be used as a base for the C and MU areas. However, such areas may have fewer stalls than the minimum stalls stated in the standards. Shared parking arrangements are encouraged between different types of commercial uses that have different parking peaks, for example: office (weekday) & retail (weekend), restaurant (weeknight & weekend) & office (weekday). The ratio of handicapped stalls to regular stalls shall be the same as required by the City.

Parking shall be provided on site or at an adjacent site that is subject to a shared parking arrangement.

In addition to providing sufficient parking stalls for automobiles, C and MU areas shall provide bicycle parking greater than or equal to 5% of the stalls provided for automobiles (with a minimum of two bike stalls). If additional bicycle demand is anticipated for a particular use, provisions for additional bicycle parking shall be provided. As with handicapped parking stalls, bicycle stalls shall be located as close as possible to building entrance(s). Secured, covered bicycle parking is recommended for all office-related uses and required for all residential units.

Screening of parking is covered by the landscaping section in this chapter.

Inoperative and/or unlicensed vehicles are governed by Section 10.22(4)(j)ii of City of Middleton ordinances.

Handicapped parking requirements for Bishops Bay shall be the same as the requirements discussed in the City's Off Street Parking Areas Specifications and Standards.

Driveways

Driveways shall comply with Section 8.04 of the City of Middleton ordinances and the following standards:

- Driveways shall be at least three feet from lot lines, unless the driveway is covered by a shared driveway arrangement.
- Driveway aprons shall comply with City of Middleton requirements.
- Driveways may be shared between lots, provided that appropriate easements or agreements are established. Shared drives are encouraged between adjacent lots to minimize curb cuts along the street (lot line setbacks shall be waived for shared driveways).

- Driveways shall be oriented perpendicular to the street they are accessed from and shall cross setbacks perpendicularly, to the extent feasible.

Residential Parking & Driveways

Parking

Parking, beyond driveways as discussed below, is not permitted within minimum front yard setbacks or minimum street side yard setback (including the street side yard setback extension into the rear yard).

Private parking shall not be located on street terraces, driveway aprons, or any other non-designated parking area within a public-right-of-way. All parking shall be set back at least three feet from any lot line.

Parking may be located within the building envelope, an interior side yard setback, or a rear yard setback (provided there is at least three feet between the parking and the lot line). All parking shall be on paved areas.

A maximum of 50% of the rear and side yard setbacks may be paved and used for driveway

and parking purposes. Lot coverage requirements and the three-foot parking/driveway setback also apply.

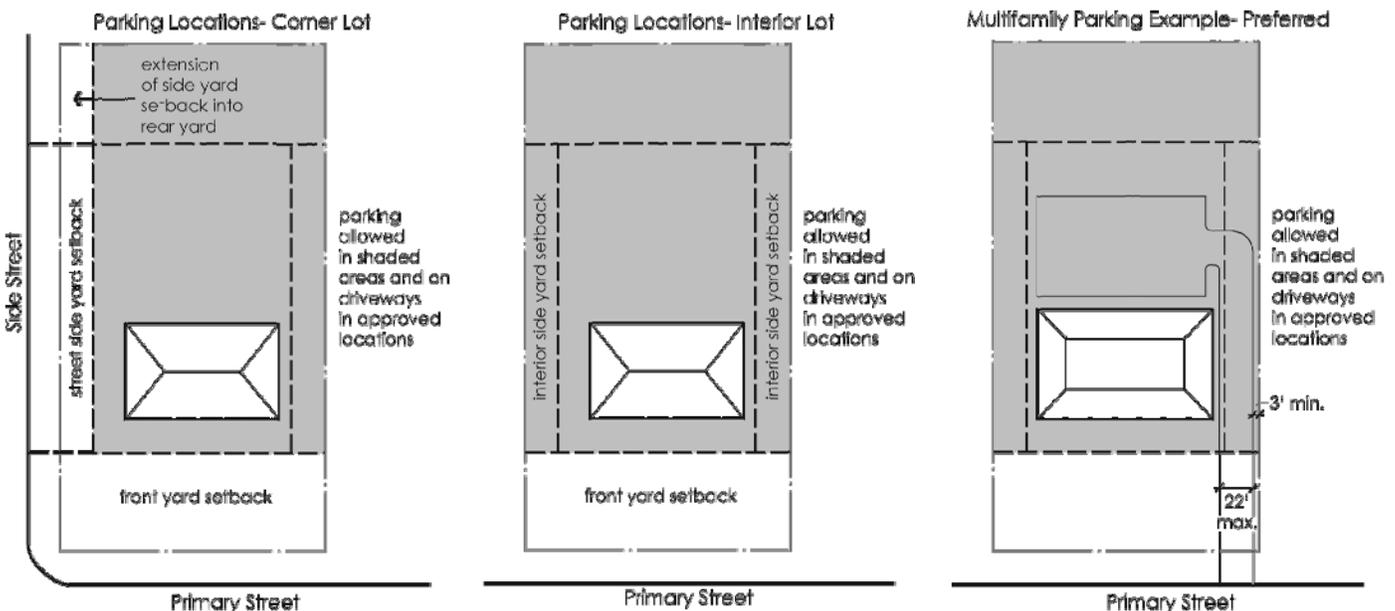
Inoperative and/or unlicensed vehicles are governed by Section 10.22(4)(j)ii of City of Middleton ordinances.

Driveways

Driveways shall comply with Section 8.04 of the City of Middleton ordinances and the following standards:

- Driveways shall be at least three feet from the lot line, unless the driveway is covered by a shared driveway arrangement.
- Driveways shall be a minimum of eight feet in width.
- Driveways shall be a maximum of 22 feet in width in the minimum front and side street setback areas.
- Driveway aprons shall match City of Middleton requirements.
- Driveways may be located with a front yard setback or street side yard setback, or an

Residential Parking Location Diagrams



interior side yard setback leading to a garage or parking area. They may also be located in a rear yard setback if the lot is alley-loaded.

- All single-family lots may have one driveway, except that two driveways may be constructed for a single-family home if: each driveway is no wider than 11 feet, both driveways meet at a point outside the minimum setback, and the driveways are on a lot that is larger than 20,000 square feet.
- Lots with more than one dwelling unit may have one driveway per unit up to three driveways, so long as the driveways are at least 25 feet apart. Driveways accessed off any alley, private street, or shared access point shall not count against the limit. The Plan Commission may grant exceptions to this policy for residential developments that undergo design review.
- Driveways may be shared between lots or dwelling units, provided that appropriate easements or agreements are established. Minimum and maximum width requirements shall apply, however, the lot line setback may be waived if a shared access agreement is in place.
- Driveways shall be oriented perpendicular to the street they are accessed from and shall cross setbacks perpendicularly, to the extent feasible.

Multi-family Residential Parking Standards

The parking standards under this subsection apply to the Townhome and Multi-family Residential (TH-R and MF-R) districts.

A minimum of one parking stall shall be provided for each dwelling unit. No more than 2.5 parking spaces shall be provided per dwelling unit. Staff and the Plan Commission/Joint Zoning Committee may grant waivers to the minimum parking

requirement for special circumstances (for example, a nursing home or senior facility where residents would not be driving). Secured, covered bicycle parking is required for all residential units, regardless of whether there is structured automobile parking.

Wherever possible, multi-family structures should be pulled up to the street to promote walkability and enhance aesthetics. Placing parking between a multi-family structure and a public street should be avoided wherever feasible.

Handicapped parking requirements for Bishops Bay shall be the same as the requirements discussed in the City's Off Street Parking Areas Specifications and Standards.

Single-Family Residential Parking Standards

The following parking standards apply to single-family residential districts (Co-R, G-R, V-R, M-R, GE-R, CI-R, and T-R):

- All lots with alley frontage shall access parking off of the alley.
- In cases where there is a common driveway, such as CI-R areas, lots shall be accessed off of the common driveway.
- All parking shall be enclosed in a garage or be on a paved driveway leading directly to a garage. No carports are allowed.
- See Lot and Building Form Standards for design and sizing requirements for garages.

Lighting Standards

Lighting for development in Bishops Bay shall be governed by Chapter 33 of the City of Middleton Code of Ordinances. Lighting may be further regulated by private covenants in Bishops Bay. Street lights for Bishops Bay will be selected by the Developer, in consultation with the City, to match the unique character of the development.

Signage Standards

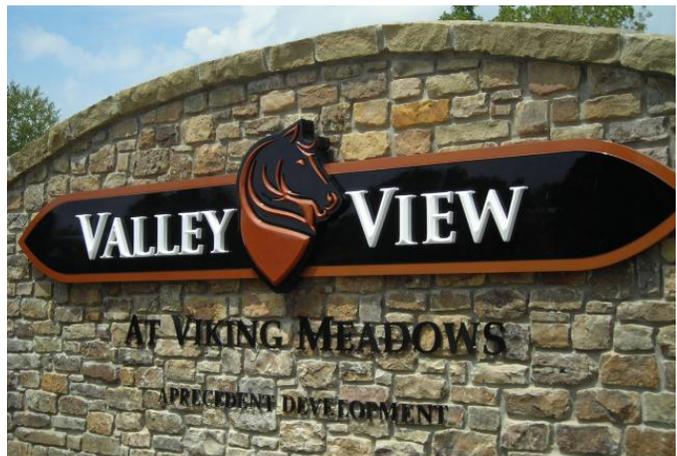
Signage for development in Bishops Bay shall be governed by Chapter 22 of the City of Middleton Code of Ordinances. Signage may be further regulated by private covenants in Bishops Bay.

Signage in Bishops Bay shall be submitted and considered according to procedures in Chapter 22 of the City of Middleton code, except that signage shall not be considered as part of an SIP. Signage, and a comprehensive sign plan where necessary, is encouraged to be submitted as part of Design Review, as discussed in Chapter 7.

Should signage or a Comprehensive Sign Plan be submitted separately from Design Review, such signage shall be considered under the permitting procedures in Chapter 22 and shall not be considered an SIP modification. Any variances to signage requirements under Chapter 22 shall be dealt with through the sign variance procedure contained in that Chapter and not through an SIP modification. Signage shall be judged against standards for similar districts in the City’s standard zoning ordinance according to the chart included in this section.

As part of the Bishops Bay DRD, permanent signage/entrance features welcoming residents and visitors to Bishops Bay or any of the neighborhoods within Bishops Bay may be placed on private or neighborhood association property with or without the presence of any other structure. Signage and entrance features welcoming residents and visitors to Bishops Bay or any of the neighborhoods of Bishops Bay may also be placed in the right-of-way. Such community/ neighborhood signage, whether on public or private property, shall require approval of the Plan Commission and Public Works Committee (in the City) or the Joint Zoning Committee (in the Town). A license agreement may be necessary.

Though design may vary, the intent is that such signs serve a similar purpose to neighborhood signs



City Zoning Code Districts	Bishops Bay Equivalent Districts
R-1 (single family); R-2 (two family)	Co-R, G-R, V-R, M-R, GE-R, CI-R, T-R
R-3 (multi-family)	TH-R, MF-R
B-1 (office); B-2 (general business)	MU, C, NC

that are commonly found in many neighborhoods, new and old (see accompanying example images).

In consultation with the City, Bishops Bay may select street sign styles and wayfinding signage that complements the unique character of the community and individual neighborhoods. Street signage will comply with MUTCD standards.

Chapter Five:



Parks, Recreation & Natural Areas

Approximately 231 acres of parks, recreation, and natural areas are planned for Bishops Bay (see chart for City/Town acreage breakdown). This includes land that is reserved for public and neighborhood association space, recreation and sports areas, playgrounds, natural areas, trail corridors, prairie restoration, community gardens, and agricultural land. Approximately 82 acres of parkland will be required by City of Middleton ordinance, 25% (or 20.5 acres) of which may be privately owned. The Community of Bishops Bay’s planned parkland exceeds that acreage requirement. 84 acres of public parkland is provided in the City (though, per Parks Commission instructions, only a portion of the public Woodland Adventure Park will be counted towards dedication). Therefore, only five acres (of the 20.5 acres allowed) of the private parkland in the City is required to satisfy the parkland dedication requirements.

Approximately 26 acres of parkland will be required by the Town of Westport. 11 acres of public parkland is shown as public Town parkland in the chart at right, and portions of the 114 acres of private park and natural areas shown in the chart will be dedicated to the public at the time of platting.

The various parks and open spaces are connected by a network of recreational trails that wind through each of the residential and commercial areas. All parks, recreation, and natural areas are shown on Map #6. All parks, recreation, and natural area descriptions include an overall vision statement.

	Public	Private	Total
City	84*	22	106
Town	11	114**	125
Total	95*	136	231

* Parks Commission has requested that ~7 acres of this total (attributable to the Woodland Park) not count towards parkland dedication requirements.

** Portions of this total will be dedicated to the Town at the time of platting to satisfy the Town parkland dedication requirement.

Public Parks & Recreation Areas

The following public parks and recreation areas are included in the planning area, many of which are strategically located to preserve existing natural features. While the final location, size, and programming for each park will be determined at the time of the SIP for each phase, the general park features are described in the following sections.

Woodland Adventure Park

City of Middleton / ~50 acres / #4 on map

Vision: A variety of outdoor recreational opportunities, landscapes, and adventure that will become the centerpiece of the park system and overall community.

The largest of the parks is the Woodland Adventure Park, a 50-acre recreation area centered around restored woodland and savanna (the City's Parks Commission has stated that ~7 acres of the area should not be counted towards parkland dedication). The park will have scenic views of the Capitol, Bishops Bay Golf Course, Lake Mendota, and the surrounding countryside. Portions of this park contain native oak trees in a variety of age classes as well as remnant native prairies. These native landscapes will be expanded as part of Bishops Bay.

The areas of the Woodland Park that have been farmed or grazed are planned for woodland restoration and recreational uses. Potential activities envisioned for this park include: a playground, lookout tower, hiking trails, disc golf, picnicking, mountain biking, and a dog park, among other things. The varied terrain and ecosystems will make this an exciting park that supports a wide variety of uses, similar to Elver Park in Madison and Lakeview Park in Middleton. A network of soft surface trails will connect the features of the Ridgeline Park to The Estates neighborhood to the south and the hard surface commuter trail along the parkway to the north.

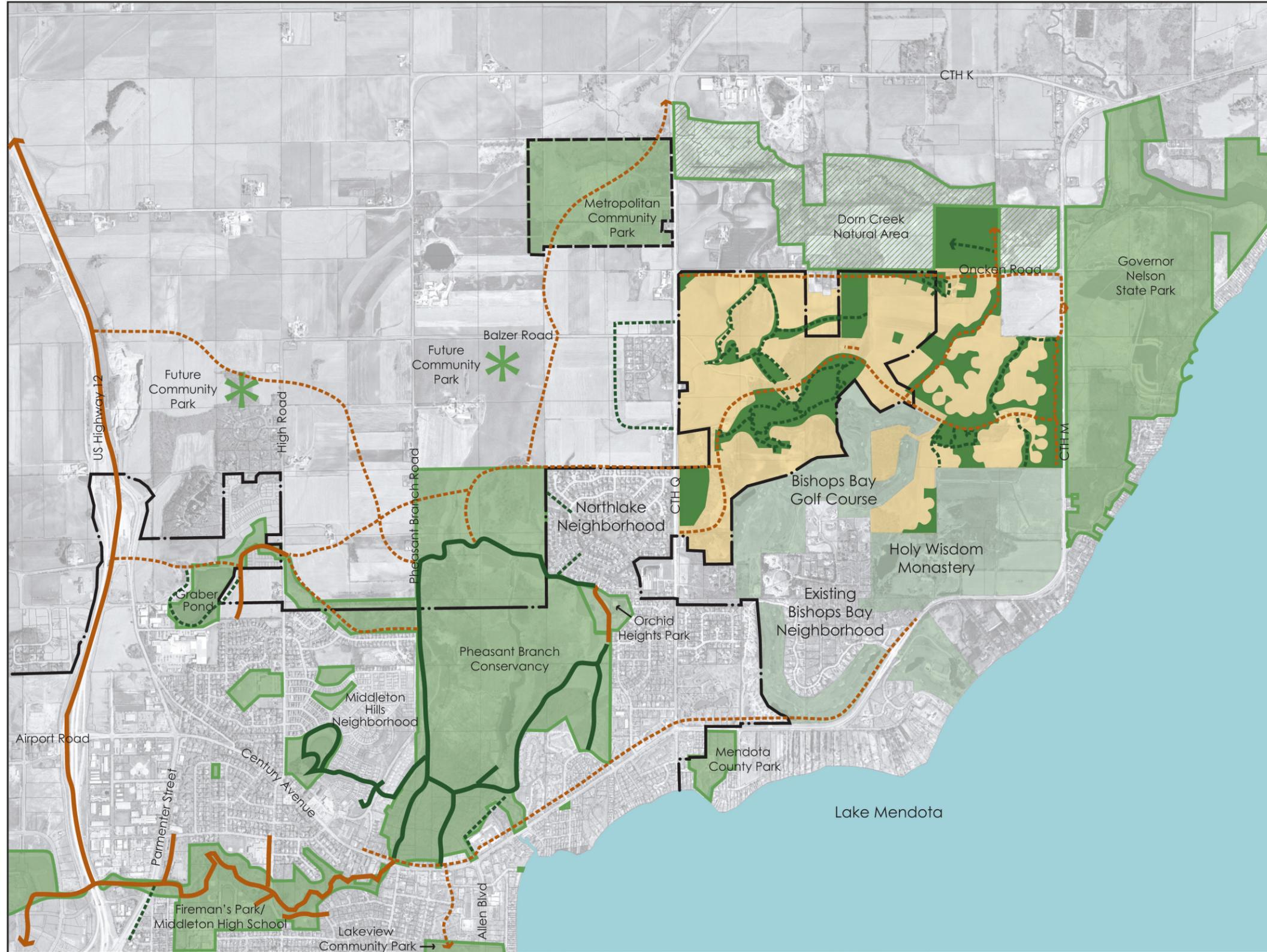


Concept Image: Woodland Adventure Park



Concept Image: Woodland Adventure Park

Map 5: Regional Parks & Trails



- City of Middleton Boundary (Current)
- The Community of Bishops Bay
- Planned Bishops Bay Park/Natural Area
- Existing Public Park/Conservancy
- Existing Public Natural Area
- Existing Private Park/Open Space
- Planned Public Park/Open Space
- Existing Paved Recreational Trail
- Planned Paved Recreational Trail
- Existing Unpaved Recreational Trail
- Planned Unpaved Recreational Trail

Sources: City of Middleton Bicycle & Pedestrian Plan Oct. 2009, T. Wall Properties, Vierbicher

Not to Scale



Map 6: Parks, Recreation and Natural Areas

--- Anticipated City of Middleton/Town of Westport Boundary



City of Middleton

Public Park & Open Space	Approx. Area
4. Woodland Adventure Park	50 acres
5. Community Park	14 acres
6. North Neighborhood Park	4 acres
7a. School Site North	10 acres
8. West Neighborhood Park	1 acre
9. Farm Neighborhood Park	5 acres

TOTAL PUBLIC (CITY): 84 acres (count 77)

Private Park & Open Space	Approx. Area
1. Town Center Park	2 acres
2. Lake Park	9 acres
3. Village Green	5 acres
7b. School Site South	6 acres

TOTAL PRIVATE (CITY): 22 acres
TOTAL CITY: 106 acres (count 99)

Town of Westport

Public Park & Open Space	Approx. Area
B. Farm Neighborhood Park	2 acres
K. Savanna Neighborhood Park	9 acres

TOTAL PUBLIC (TOWN): 11 acres

Private Park & Open Space	Approx. Area
A. The Dorn Creek Reserve	40 acres
C. Community Garden	4 acres
D. Farm Field	2 acres
E. Linear Parkway*	14 acres
F. Farm Field	6 acres
G. Linear Parkway*	6 acres
H. Prairie Restoration	12 acres
I. Orchard	6 acres
J. Orchard	6 acres
L. Linear Parkway*	3 acres
M. Prairie Restoration	3 acres
N. Linear Parkway*	2 acres
O. Prairie Restoration	10 acres

TOTAL PRIVATE (TOWN): 114 acres
TOTAL TOWN: 125 acres

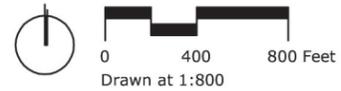
TOTAL PLANNING AREA: 231 ACRES

Adjacent Park & Open Space

Dorn Creek Natural Area	250 acres
Governor Nelson State Park	420 acres
Holy Wisdom Prairie Restoration	95 acres
Bishops Bay Country Club	104 acres

TOTAL ADJACENT PARK & OPEN SPACE: 869 ACRES

NOTE: Specific park locations and areas are approximate and subject to change. Public dedication will be made as part of final platting and regulatory approval.
 * Portions of these parks will be dedicated to the town to satisfy parkland dedication requirements.



Community Park

City of Middleton / ~14 acres / #5 on map

Vision: The outdoor recreation sports complex supporting team and league sports played on fields and courts.

The Community Park will provide active outdoor recreational opportunities that require large, open fields, such as soccer, baseball, softball, and football. The park will also likely include a park shelter, playground equipment, and courts for sports like basketball, tennis, and volleyball, and will be large enough to host special events and parties.



North Neighborhood Park

City of Middleton / ~4 acres / #6 on map

Vision: Serve as the organizing feature and central gathering space for the Landing neighborhood between the school site and the Lake Park.

This "Boulevard Park" is a linear park connecting the school/civic site to the Town Center Park. This linear park will be wide enough along at least part of its length to host play equipment. This unique park will integrate a trail, water quality features, and landscaping, in addition to sports and playground facilities. The North Neighborhood Park is intended to accommodate both "structured" play, with playground equipment, as well as "informal" play, with interesting landscapes and open spaces.



West Neighborhood Park

City of Middleton / ~1 acre / #8 on map

Vision: A central gathering space for residents and families of the Landing neighborhood between the school site and the Farm neighborhood.

The 1-acre Neighborhood Park will primarily serve residents of the Landing east of the school site. Amenities may include such things as playground equipment, tennis, basketball, volleyball, and other activities that are typically found in smaller neighborhood parks.



Farm Park

City of Middleton & Town of Westport / ~7 acres / #9 & 'B' on map

Vision: Recreational trails and facilities established within the beautiful landscape of restored prairie and preserved burr oak forest.

The Farm Park is located on the edge of the eastern portion of The Landing neighborhood, adjacent to the community farm and garden. This area has been an open-grown oak savanna since at least 1949. Plans for this park include restoring the understory to native grassland species and adding a mowed path through the park, connecting The Landing to the commuter path along Oncken Road and the community farm. Space is adequate for a shelter and hardcourt facilities such as tennis. This park buffers a portion of the Landing from Oncken Road, and also links the Landing to the Dorn Creek Reserve across from Oncken Road.

Savanna Park

Town of Westport / ~9 acres / 'K' on map

Vision: A community showpiece park along the central parkway containing picnic areas, trails, playgrounds and recreational courts, enjoying the best Capitol and lake views in the community and sheltered by old growth burr oak trees.

The Savanna Park is located along the parkway on the edge of the Prairie neighborhood. This area contains mature oak trees and local high points that offer views of the Capitol over Lake Mendota. The plan for this park includes restoring the understory to native grassland species, incorporating mowed paths, picnic areas, and playground equipment to take advantage of the views.

School/Civic Site North

City of Middleton / ~10 acres / 7a on map

Vision: This centrally-located land is planned for a school facility to serve the community and is supported by robust pedestrian and vehicle



Concept Image: West Neighborhood Park



Concept Image: Farm Park and Savanna Park



Concept Image: Farm Park and Savanna Park

connections to the surrounding neighborhoods to promote safe, walkable access for children.

An anticipated 10 acre school/civic site is located in the middle of the Landing neighborhood. While most (and potentially all) of the land would be owned and maintained by the school, the site is planned to incorporate many recreational opportunities. Transfer of the land for a school would involve negotiation on resident use of the school site's outdoor recreation areas. While the site will not be owned or managed by the City or the Neighborhood Association, the site will still be a major component to the overall parks and recreation network in Bishops Bay. Recreation areas will provide additional sports fields and hardcourts for use residents when school is not in session.

Private Parks, Natural Areas, and Agricultural Lands

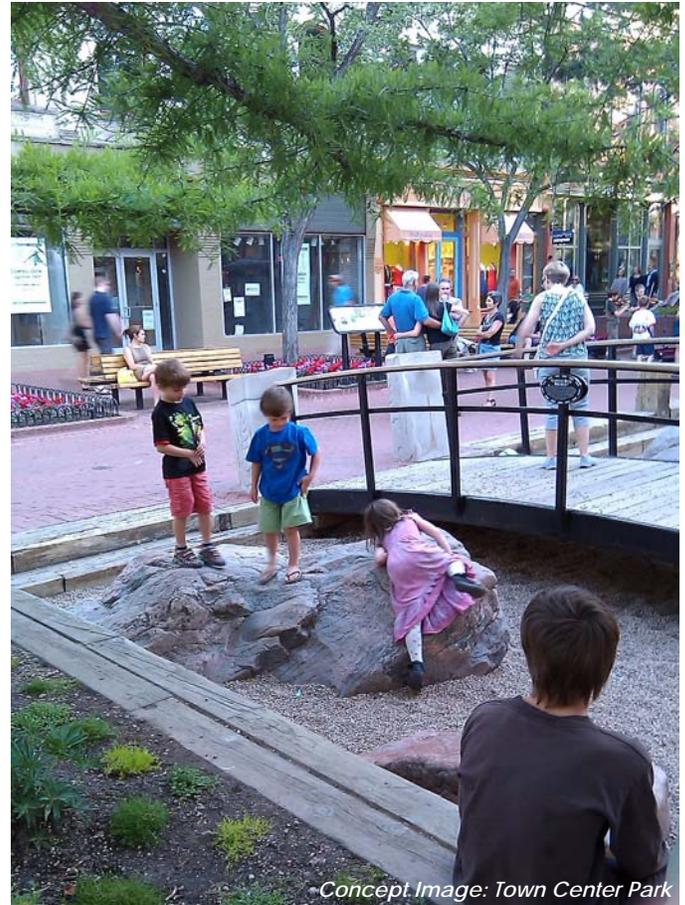
Private undeveloped space in Bishops Bay includes areas used for recreation, farming, and community gardens as well as existing drainage ways and prairie restoration. In total, private parks, natural areas, and agricultural land cover approximately 136 acres.

Town Center Park

City of Middleton / ~2 acres / #1 on map

Vision: A family park anchoring the central shopping district and providing a gateway for visitors to Middleton from the north.

The Town Center park will serve as a gateway to Bishops Bay and the City of Middleton for people approaching from the north and west. The park will provide visitors and residents with a kids' park and plaza area for outdoor gathering and socializing. Adjacent restaurants may use some of the area for outdoor café space. The park will be designed to attract the public to the Town Center by making the main street of the Town Center visible to the driving public.



Concept Image: Town Center Park



Concept Image: Town Center Park

Lake Park

City of Middleton / ~9 acres / #2 on map

Vision: Provide a water amenity in the middle of the community and support water-based recreation, wildlife, and a wide range of community events along the lakeshore.

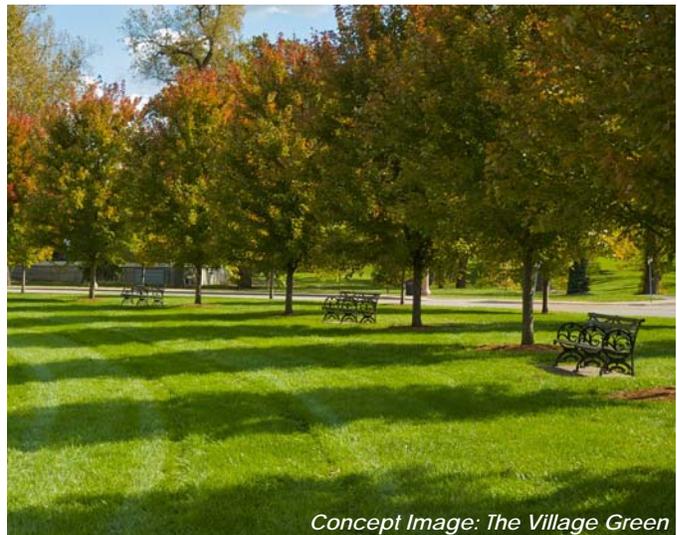
This park located between the Town Center and the Landing, and is proposed to have several water-based recreational opportunities. The park includes a man-made lake, as well as a surrounding natural habitat. This park will include a water quality management area where water will be collected and treated before being released to the Dorn Creek natural area to the north of the site. However, the lake will not only be a water quality management area, but will also serve as a place for active water recreation, such as kayaking, paddle boating, canoeing, ice skating, and programmed community events. The area surrounding the lake will contain a sand beach and recreational activities such as volleyball. The planting of native prairie and other vegetation around the lake area will help to filter runoff before the runoff reaches the lake, as well as provide habitat for local wildlife and scenery for the recreational trail that circles the lake. The natural habitat in portions of this park will serve as a visual respite for Town Center visitors who wish to sit and enjoy the view, and for residents who wish to go for a quiet walk on trails that circle the lake. This park will also be an amenity for the residents of the adjacent neighborhoods (the Town Center, the Commons, and the Landing), and will provide pedestrian linkages to the Town Center.



Concept Image: Lake Park



Concept Image: Lake Park



Concept Image: The Village Green

The Village Green

City of Middleton / ~5 acres / #3 on map

Vision: The central, formal lawn of the community, the Village Green will allow for flexible programming for a wide range of festivals, events, and community gatherings.

The Village Green, a manicured open lawn for festivals, markets, recreation, and relaxation will be

to the south of the lake and prairie area. The Village Green is bounded by civic uses (like a community center) on one side, and multi-family residential buildings on the other. A church is planned for the head of the Village Green, with a view of the lake and the Town Center beyond. This open lawn area is intended for community activities, church gatherings, and neighborhood parties.

School Site South

City of Middleton / ~6 acres / #7b on map

Vision: An integral part of the surrounding community, contributing to the health and education of the neighborhoods.

The southern portion of the school site is planned for a private school and/or recreational center, such as a YMCA, community center, or for-profit recreational facility.

Dorn Creek Reserve

Town of Westport / ~40 acres / 'A' on map

Vision: Approximately 40 acres of private natural area and wildlife habitat that gives Bishops Bay residents a connection to the greater Dorn Creek system and supports activities such as fishing, hunting, and hiking.

The Dorn Creek Reserve will be a private natural area open to neighborhood residents and their guests. The area will have a lodge building for neighborhood use, which may be rented out for community events and parties. The lodge will likely have the capabilities for food preparation for on-site events. The area may also play host to classes, to allow students to interact with and learn from the area's ecology and water quality features, and may even include an on-site public school and related facilities. Outdoor recreational activities in this reserve could include archery, equestrian trails, hiking, nature-watching, and other passive and active recreational activities.



Concept Image: Dorn Creek Reserve

Community Garden

Town of Westport / ~4 acres / 'C' on map

Vision: A place where community residents can come together and interact while producing locally grown fruits and vegetables for their families and friends.

A community garden is planned for the existing farmstead site, which will be available to residents of the Bishops Bay community. Gardeners will have access to water and tool storage in the farm buildings and a small parking area will be provided for residents who live farther away from the gardens. Plot sizes will vary based on number of interested parties and gardener preferences.

Farmland / Orchard

Town of Westport / ~20 acres / 'D', 'F', 'I', and 'J' on map

Vision: Agricultural land that will surround the hamlets of The Farm neighborhood, while providing locally grown fruits and vegetables for the community.

In the Farm neighborhood, hamlets are organized around open farm fields or orchard areas. Ideally these fields and orchards will be managed by a community-supported agriculture (CSA) organization, based at the existing farmstead on Oncken Road. This could be run by an individual or family who lived on the farm full-time, a group of volunteers, or a combination of both.

The farm fields are envisioned as conventional fields, able to be worked by hand or by a tractor. Crops would include a wide variety of vegetables, fruits, nuts, etc., to support the CSA. Farming will be organic or as close to organic as possible so local residents and waterways are not exposed to excessive fertilizers and pesticides (this shall not prevent the City, Town, or Neighborhood Association from applying fertilizers or pesticides, in compliance with all relevant regulations, to prevent unforeseen or long-term damage to plants due to an outbreak of pests or disease). Since the farmable



area is limited, a holistic approach to farming will be required, in which minerals and nutrients taken from the soil by the crops are replaced via cover crops or soil amendments. This method will help ensure the long-term health of the soil and thus the neighborhood residents.

Orchard areas will be planted with fruit and/or nut trees to in addition to the crops produced by the CSA. Orchard crops will be selected based on varieties known to be hardy and productive in this climate, and could include fruits such as apples, pears, grapes, currants, plums, or cherries, and nut trees such as walnut, butternut, and hazelnut. Sugar maples could also be planted for syrup production.

Linear Parkways

Town of Westport / ~25 acres / 'E', 'G', 'L' and 'N' on map

Vision: Natural trail and drainage corridors to connect hamlets and parks while enhancing area water quality.

Existing drainage ways throughout Bishops Bay have been preserved, and are shown with a 75' buffer on either side. This buffer is intended to slow and filter stormwater runoff before the runoff reaches the drainage way, and will be heavily vegetated with grasses, perennials, and shrubs. Depending on stormwater management needs, the structure of the drainage ways may be modified to provide a series of stepped pools instead of a direct channel. This approach will maximize infiltration potential and reduce the amount of suspended solids in water leaving the site.

Prairie

Town of Westport / ~25 acres / 'H', 'M', and 'O' on map

Vision: A natural prairie buffer from CTH M that will seamlessly connect existing prairie restoration projects.

Prairie restoration will be a large component of the landscape on the eastern portion of Bishops Bay, to



complement and connect the Holy Wisdom Monastery and Governor Nelson State Park landscapes. A prairie buffer of at least 250 feet will be provided along Highway M for the length of the project site, to maintain a rural feel and link Holy Wisdom with Governor Nelson State Park. The Prairie neighborhood will include clusters of homes (generally 4-12 homes per cluster) nestled into the prairie, with architectural styles and colors that complement the landscape. A band of prairie planting will border the north side of Bishops Bay along Oncken Road, to complement the commuter path and visually connect the Farm Park to the lake area near the town center. The lake area will also have extensive prairie and savanna planting to filter stormwater runoff and provide wildlife habitat. Estate home owners with golf course frontage will be required to maintain a prairie buffer along the course, for aesthetic unity from the course as well as stormwater infiltration.

Golf Course

Town of Westport / 104 acres (adjoining Community of Bishops Bay)

The adjacent golf course is privately owned by a third party and leased to Bishops Bay Country Club members. There is over 3 miles of course frontage for Bishops Bay neighborhoods. Portions of the Estates, the Woods, the Landing, and the Ridgeline Park immediately front the course. Golf course fronting homes will have covenants similar to existing homes on the front nine to allow golfers to retrieve balls.



Chapter Six:



Infrastructure & Utilities

This chapter covers the preliminary layout of proposed trails, streets, stormwater management facilities, and utilities. The chapter also addresses how this Plan meets the Comprehensive Development Plan requirements for land division that are outlined by ordinance for the City of Middleton.

Trails Network

Approximately 10 miles of trails are planned throughout Bishops Bay. Trails will serve a dual purpose, providing both recreation and transportation opportunities to residents. Trails will be a mixture of paved, mulched, gravel and mowed, depending upon the planned use and surrounding landscape.

The main trail will follow the southern edge of the Parkway, providing a regional bicycle commuter route and connecting the Northlake Neighborhood with Governor Nelson State Park. The trail will also tie in to a planned City connection to Pheasant Branch Conservancy along the northern edge of Northlake, completing a major connection through the entire City, as shown in the City's 2009 Bicycle and Pedestrian Plan. Other paved trails are planned along Oncken Road and CTH M.

The 50-acre Woodland Park will have an extensive network of trails. The Lake will also have a trail that will allow residents to make a complete circuit of the lake.



Concept Image: Trails



Prairie areas and drainage swales will have mowed trails. Map #7 shows pedestrian and bicycle connections, which includes paved trails, mowed trails, mulch/gravel trails, and sidewalks. Not all areas of Bishops Bay are appropriate for paved trails — grade, surrounding landscape, and a desire to limit the impact of trail installation on the landscape makes mulch, gravel or mowed grass trails appropriate for some areas. Where terrain permits, and in consultation with the City and Town, some trails designated for gravel, mulch, or mowed grass may be converted to paved trails to allow for a wide variety of recreational users.

Trail Type	Width*
Paved trail*	10 feet*
Mulch/gravel trail	5-8 feet
Mowed grass trail	5-8 feet
* Some trails are included with street ROW design.	

Street & Circulation Standards

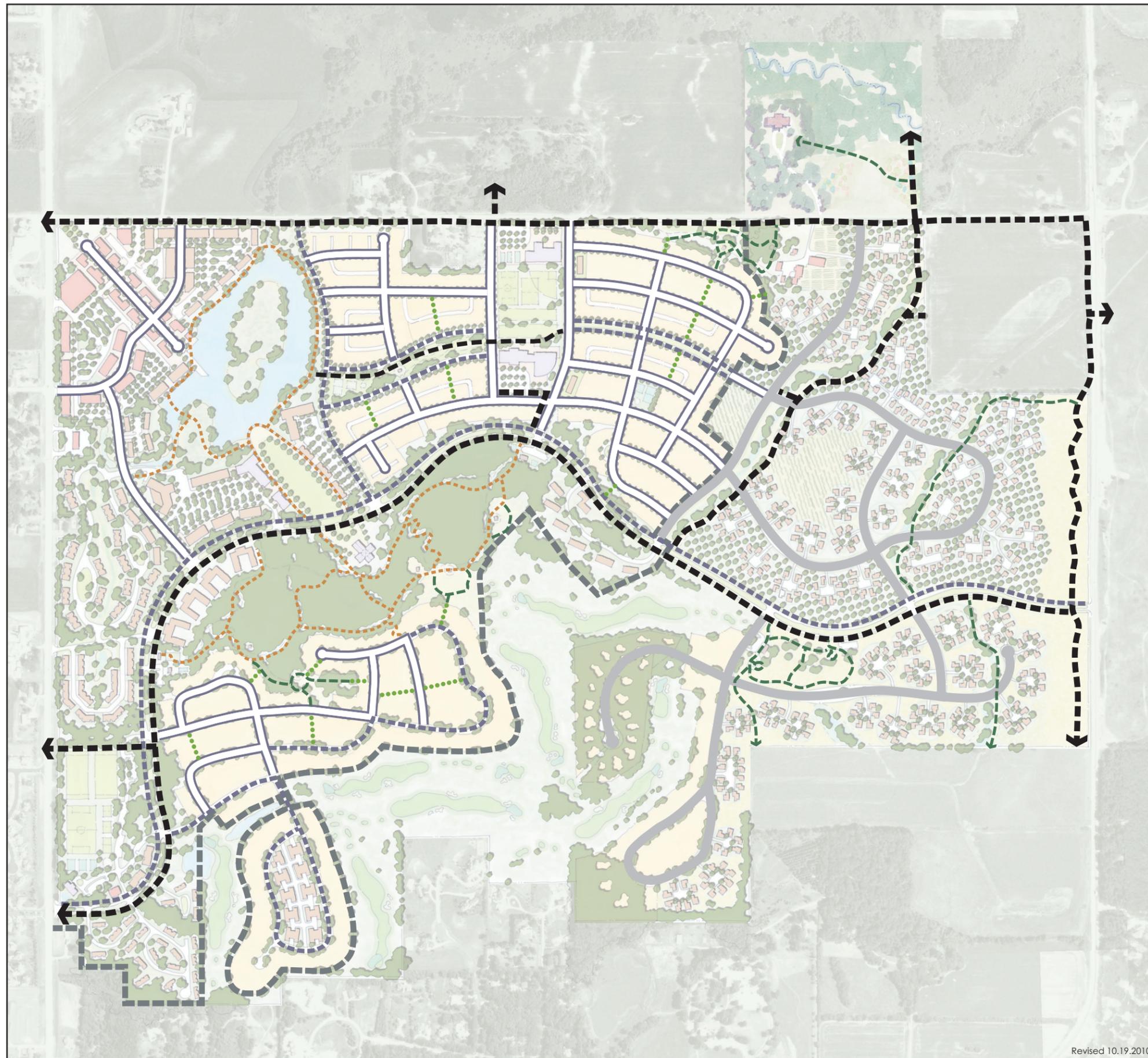
The charts on this page list street and trail types; each type is discussed in further detail in this section.

Right-of-Way Summary Table

	Speed Limit (mph)	ROW Width	Curb-to-Curb Width	Travel Lane Width	Bike Lane Width	Parking Lane Width	Terrace Width	Trail/Sidewalk Width	Curb Type†
Oncken Road	45•	80	29~	10.5'	4'	—	16.5'•	—/10'	—
Parkway	30	110'†	18'*	12'	6'	—	9'	6'/10'	1 & 2
Commercial I	25	70'	40'	12'	—	8'	9'	5'	2
Commercial II	25	100'	68'	16'	—	18'	6'	10'	2
Residential Blvd.	25	76'†	18'*	10'	—	8'	7'	5'	1 & 2
Residential I	25	60'	34'	9'	—	8'	7'	5'	2
Residential II	25	56'	30'	14'^	—	8'	7'	5'	2
Residential III	25	60'	20'	12'^	—	8'	14'	5'	1 & 2
Residential IV	25	50'	24'	16'^	—	8'••	8'/12'	5'••	1 & 2
Alley	10	23'	13'~	—	—	—	5'	—	—
Rural Residential	30	48'•	24'~	12'	—	—	12'•	—	—

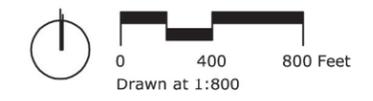
Note: most ROW widths include one foot buffer to either side of the sidewalk.
 † Median of boulevard may vary, so ROW width may vary. See detail page for description.
 * Road is a boulevard; curb-to-curb width is in each direction.
 •• One side.
 ‡ 1 = ribbon; 2 = regular; 3 = laid back.
 ^ Two-way traffic
 ~ Will likely not have curbs.
 • See ROW detail page for more information.

Map 7: Pedestrian & Bicycle Circulation Plan



- Paved Trail
- Mulch/Gravel Trail
- Mowed Trail
- Sidewalk- One Side
- Sidewalk- Both Sides
- Low Volume Street- Mixed Traffic
- Pedestrian Easement
- Anticipated City of Middleton/ Town of Westport boundary

NOTE: Locations of trails are preliminary and subject to change as part of final platting and regulatory approval.

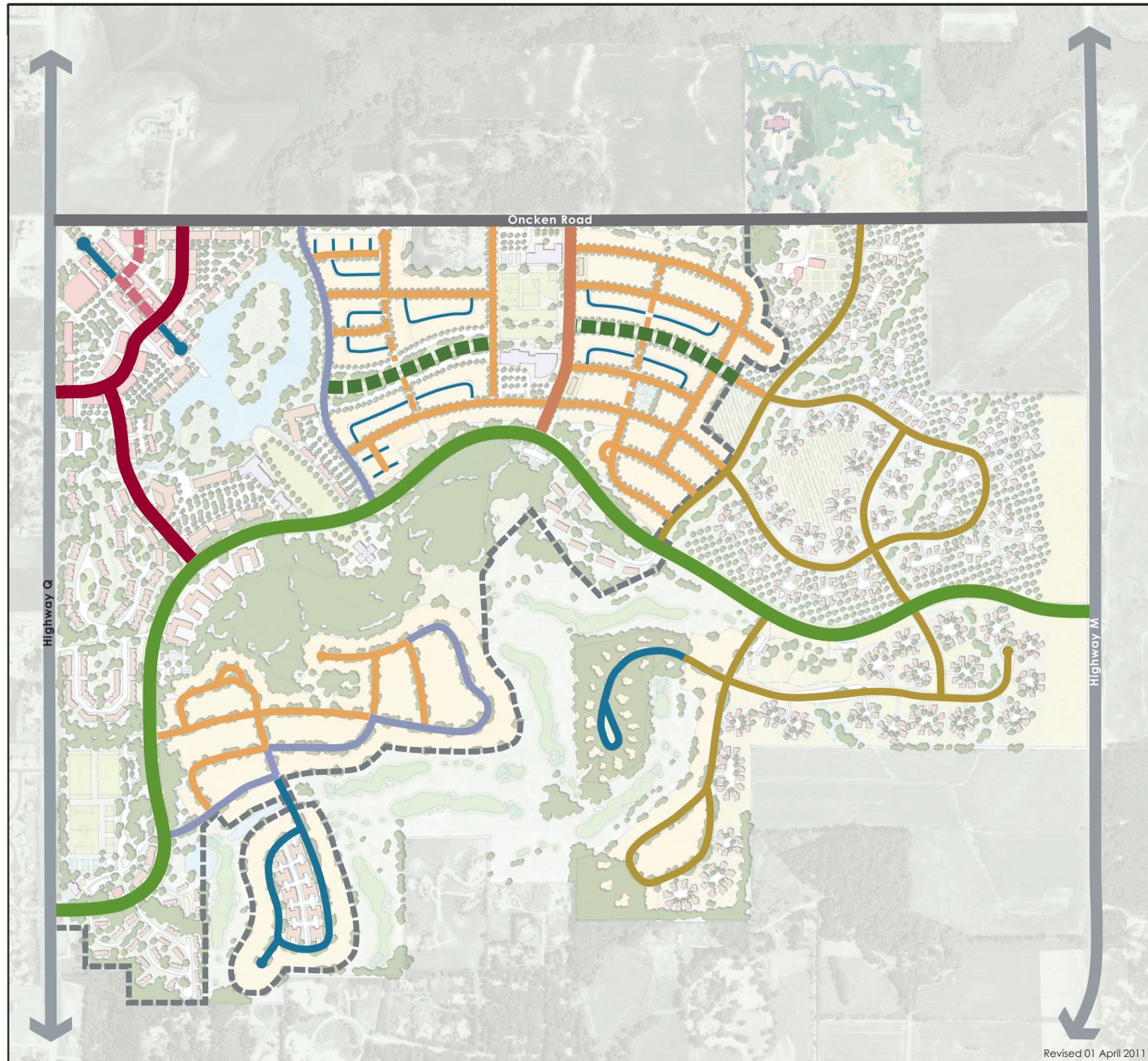


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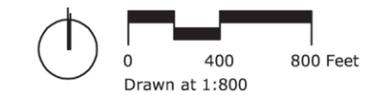
Map 8: Street Right-of-Way Plan

-  Oncken Road
-  Anticipated City of Middleton/Town of Westport Boundary
-  Parkway Boulevard (Collector)
-  Commercial Street I
-  Commercial Street II
-  Residential Boulevard
-  Residential I
-  Residential II
-  Residential III
-  Residential IV
-  Rural Residential
-  Alley/Private

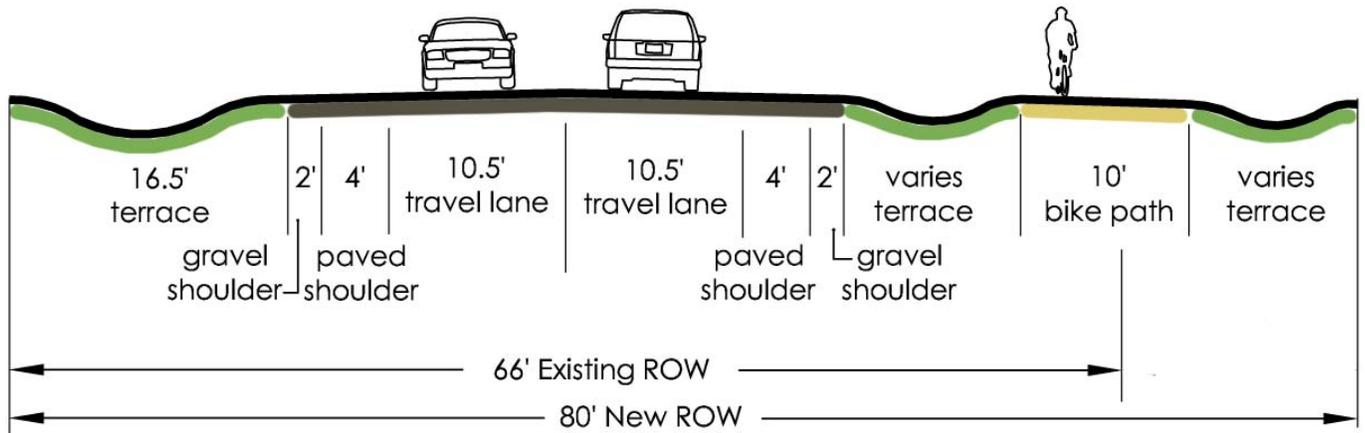
- NOTES:**
- Locations of streets are preliminary and subject to change as part of final platting and regulatory approval.
 - All other public streets aside from the Parkway are local streets.
 - Access to CTH Q, CTH M, and Oncken Road will be limited to the connections shown unless further points are granted in consultation with the City, Town, and/or County.
 - Access to the Parkway will be limited to the streets shown and to future driveways that comply with the City's access control policy.



Revised 01 April 2011



Oncken Road



Oncken Road

The existing Oncken Road cross-section will eventually be modified as part of Community of Bishops Bay development. As is apparent from the diagram above, the intent for Oncken Road is to maintain a rural cross-section, with swales instead of curb and gutter. The bike path, which will be on the south side of the road, will meander within a substantial terrace area — 30.5 feet, including the 10 foot bike path width. The bike path may need to be detoured south of three existing home sites along Oncken Road.

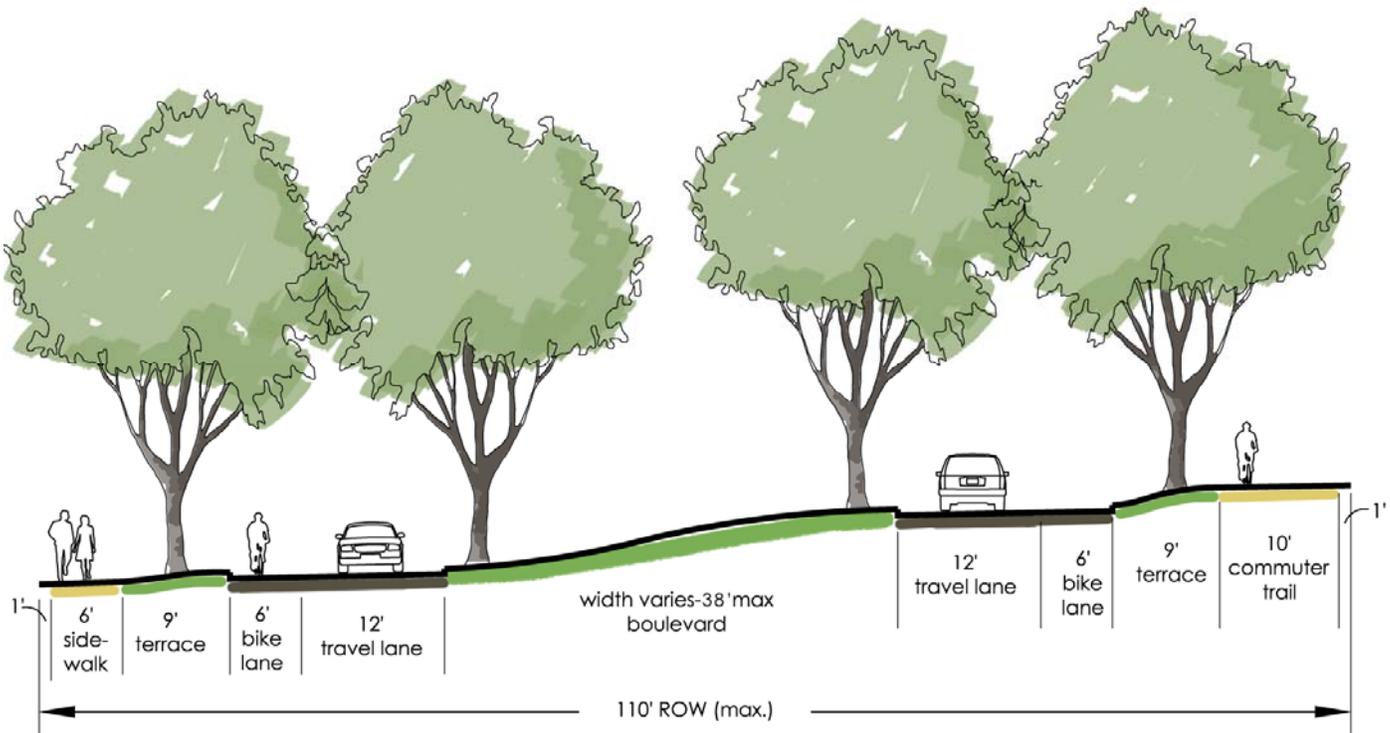
Speed Limit	45 mph*
ROW Width	80 feet
Curb-to-Curb Width	29 feet**
Travel Lane Width	10.5 feet
Bike Lane Width	4 feet
Parking Lane Width	N/A
Terrace Width	16.5 feet (north) Varies (south)
Sidewalk Width	N/A***
Trail Width***	10 feet
Curb Type	N/A

* This is the current speed limit, which may need to be adjusted in the future, depending upon traffic.

** Will likely not have curbs; this is the pavement width only.

*** The ROW includes a trail along the south side of the road.

Bishops Bay: Parkway Boulevard



Bishops Bay Parkway

The Bishops Bay Parkway will be the main access road through Bishops Bay. Most residences will use the Parkway to enter the Bishops Bay neighborhoods from CTH M on the east or CTH Q on the west. The Parkway will be designed for moderate-speed traffic with access points limited to streets and major driveways to multi-family development and civic uses. The right-of-way of the parkway will vary, with a maximum width of 110 feet, depending on the width of the median (from 0' to 38'). The general intent is to maintain a rural feel along the east portion of the parkway, and transition to a more urban feel on the west portion of the parkway. The curb type may vary based upon adjacent stormwater management measures and urban (City) versus rural (Town) setting.

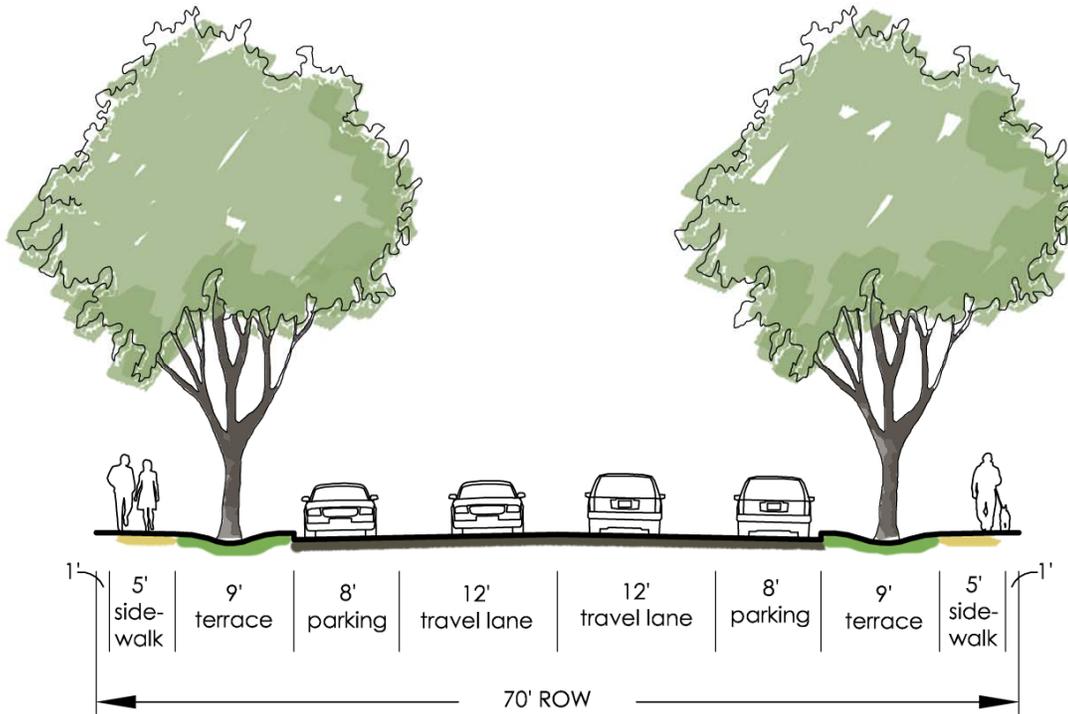
Speed Limit	30 mph
ROW Width*	110 feet, Max.*
Curb-to-Curb Width	18 feet*
Travel Lane Width	12 feet
Bike Lane Width	6 feet
Parking Lane Width	N/A
Terrace Width	9 feet
Sidewalk Width	6 feet
Trail Width**	10 feet
Curb Type	Regular & Ribbon

* The Parkway will be a boulevard style street, with a curb-to-curb width of 18 feet in each direction. Median width will vary.

** The ROW includes a trail along the south side of the Parkway.



Bishops Bay: Commercial I



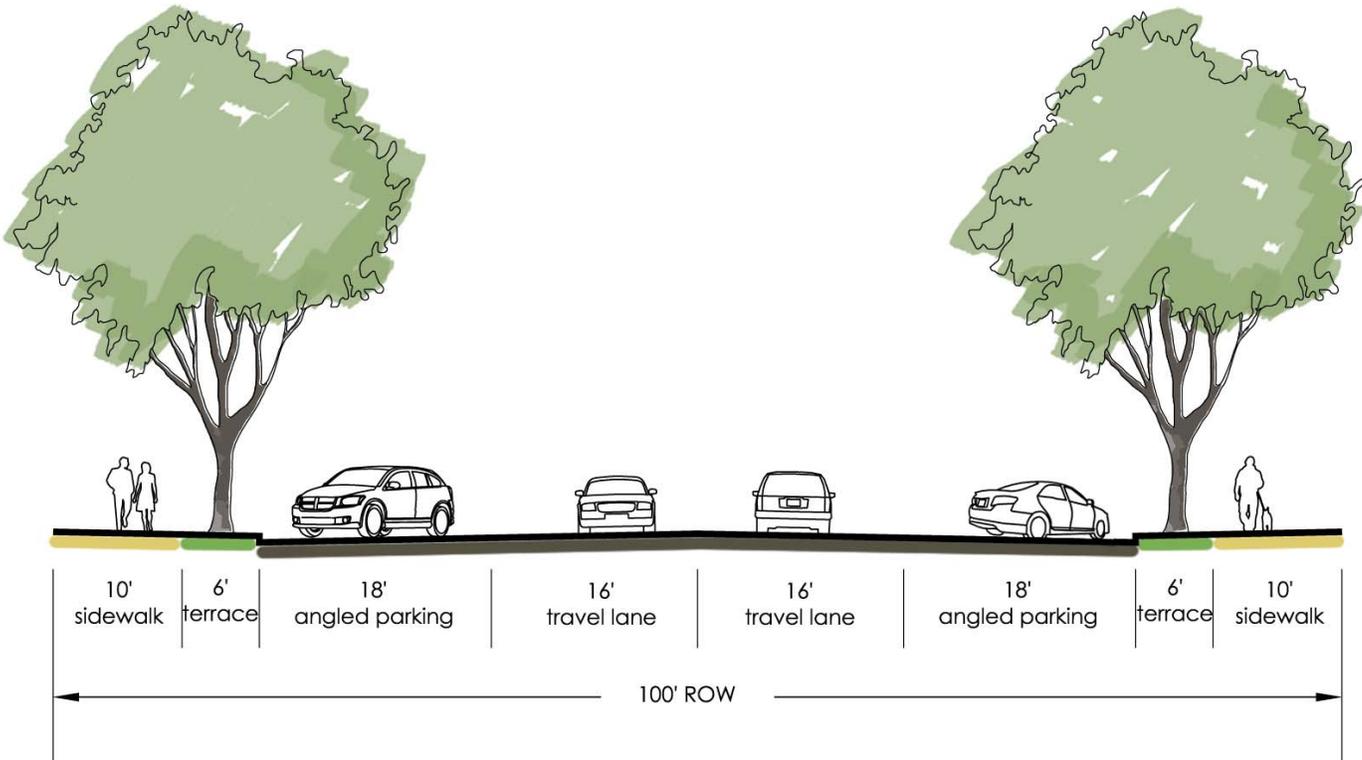
Bishops Bay Commercial I

The Commercial I right-of-way will serve as the main access from the Parkway to the Town Center, as well as providing access from CTH Q and Oncken Road to commercial development.

Speed Limit	25 mph
ROW Width	70 feet
Curb-to-Curb Width	40 feet
Travel Lane Width	12 feet
Bike Lane Width	N/A
Parking Lane Width	8 feet
Terrace Width	9 feet
Sidewalk Width	5 feet
Curb Type	Regular



Bishops Bay: Commercial II



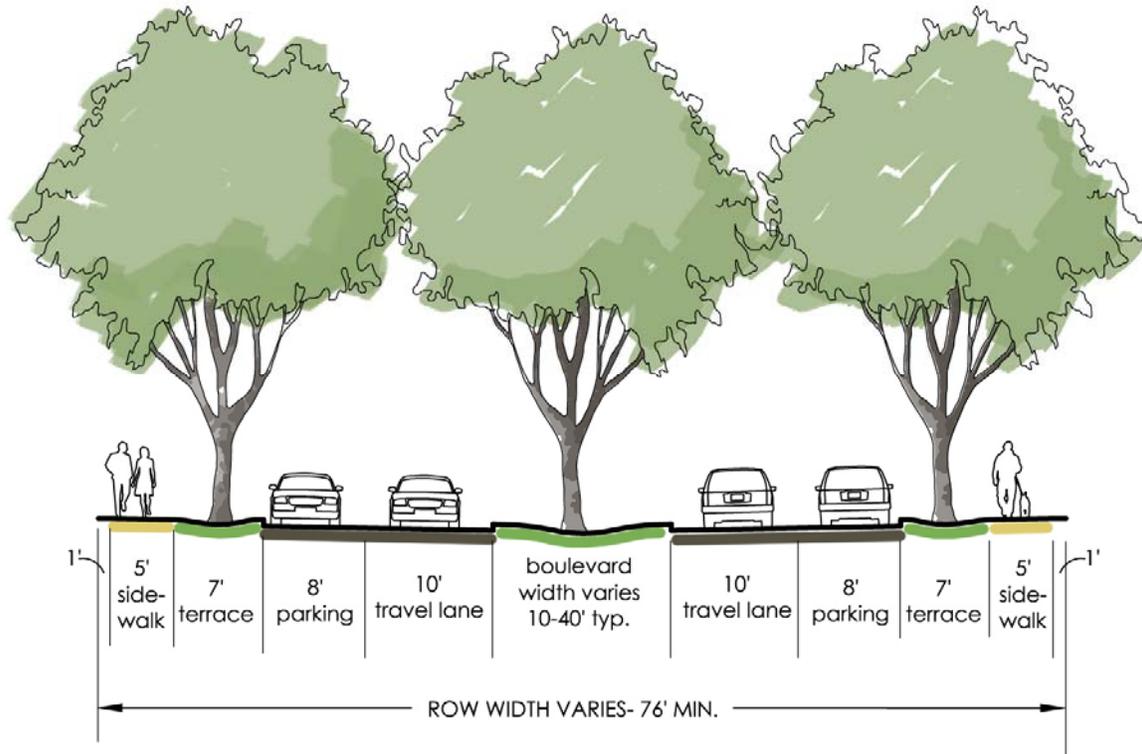
Bishops Bay Commercial II

The goal of the Commercial II designation is to create a “Main Street” feel through part of the commercial area. Street cafés on the public right-of-way are anticipated for this section.

Anticipated Speed Limit	25 mph
ROW Width	100 feet
Curb-to-Curb Width	68 feet
Travel Lane Width	16 feet
Bike Lane Width	N/A
Parking Lane Width	18 feet
Terrace Width	6 feet
Sidewalk Width	10 feet
Curb Type	Regular



Bishops Bay: Residential Boulevard



Bishops Bay Urban Residential Boulevard (one-way)

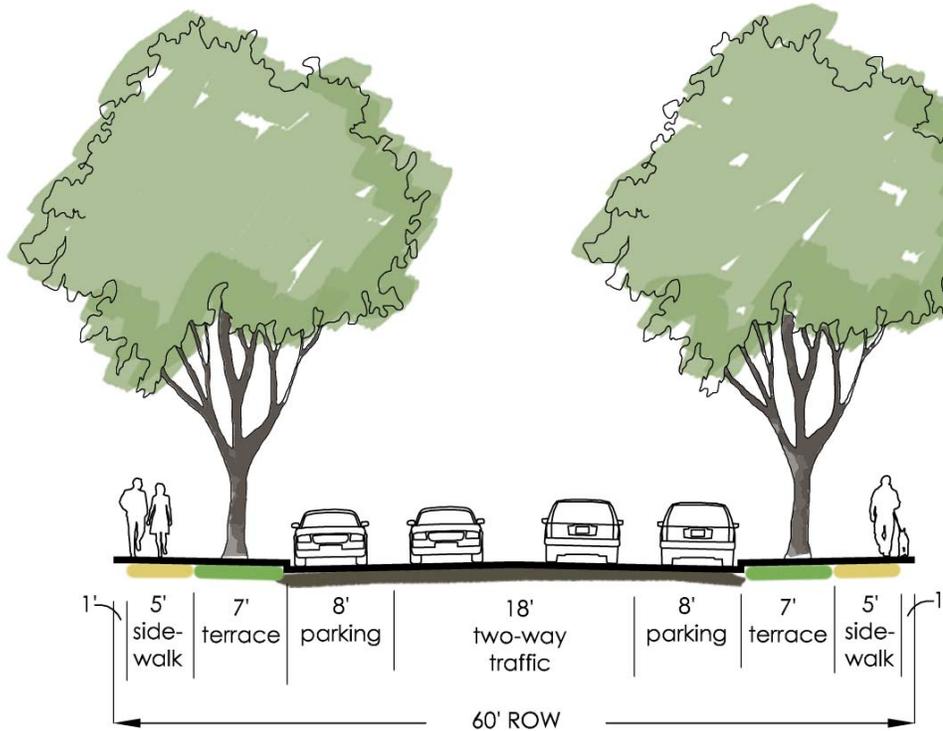
The primary anticipated use of the Urban Residential Boulevard cross-section is to provide variability in the Landing neighborhood street grid and strengthen the connections to the proposed school site from the east and west. While the typical median width will be 10-40 feet, the median may be wider in some areas to accommodate a public park.

Anticipated Speed Limit	25 mph
ROW Width*	76 feet, Min.*
Curb-to-Curb Width	18 feet*
Travel Lane Width	10 feet
Bike Lane Width	N/A
Parking Lane Width	8 feet
Terrace Width	7 feet
Sidewalk Width	5 feet
Curb Type	Regular & Ribbon



* The cross-section will be a boulevard style street, with a curb-to-curb width of 18 feet in each direction. Median width will vary, and may be substantially wider than 40 for portions of the cross-section to accommodate a greenway.

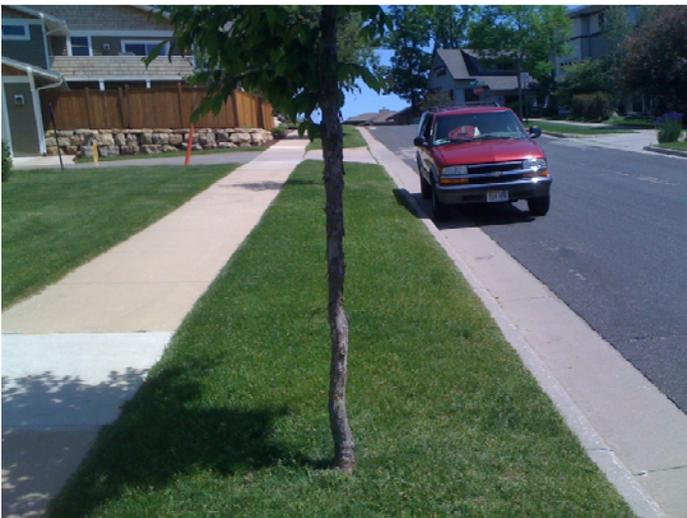
Bishops Bay: Residential I



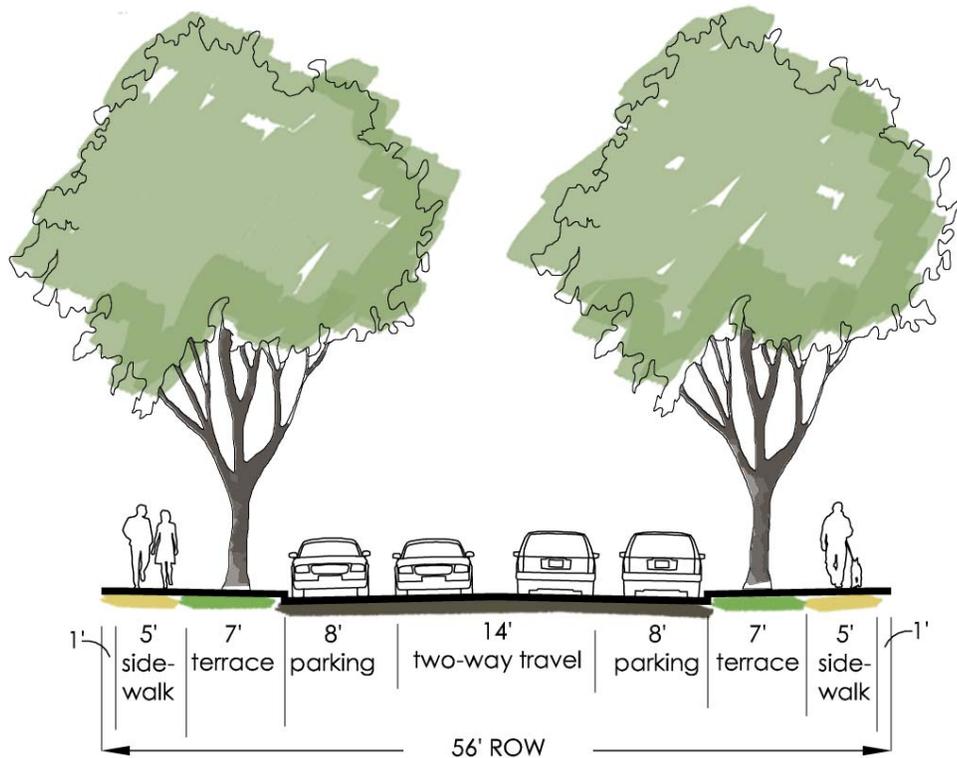
Bishops Bay Residential I

The Residential I cross-section is to serve higher traffic count residential streets. This designation is expected to be used for the Landing's connection to Oncken Road.

Anticipated Speed Limit	25 mph
ROW Width	60 feet
Curb-to-Curb Width	34 feet
Travel Lane Width	9 feet
Bike Lane Width	N/A
Parking Lane Width	8 feet
Terrace Width	7 feet
Sidewalk Width	5 feet
Curb Type	Regular



Bishops Bay: Residential II



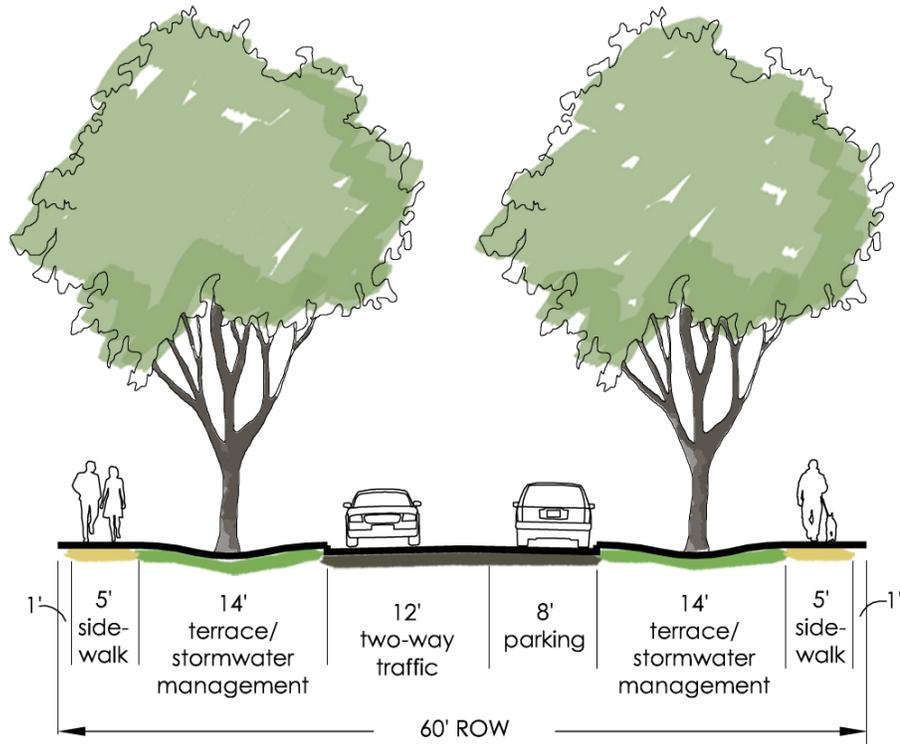
Bishops Bay Residential II

The Residential II cross-section will be used for lower volume streets in the Landing and Estates neighborhoods. The relatively narrow pavement width will keep vehicle speeds slow and encourage walking and bicycling. One lane of parking may be eliminated in select areas to allow for enhanced storm-water management in the terrace area.

Anticipated Speed Limit	25 mph
ROW Width	56 feet
Curb-to-Curb Width	30 feet
Travel Lane Width	14 feet two-way traffic
Bike Lane Width	N/A
Parking Lane Width	8 feet
Terrace Width	7 feet
Sidewalk Width	5 feet
Curb Type	Regular



Bishops Bay: Residential III



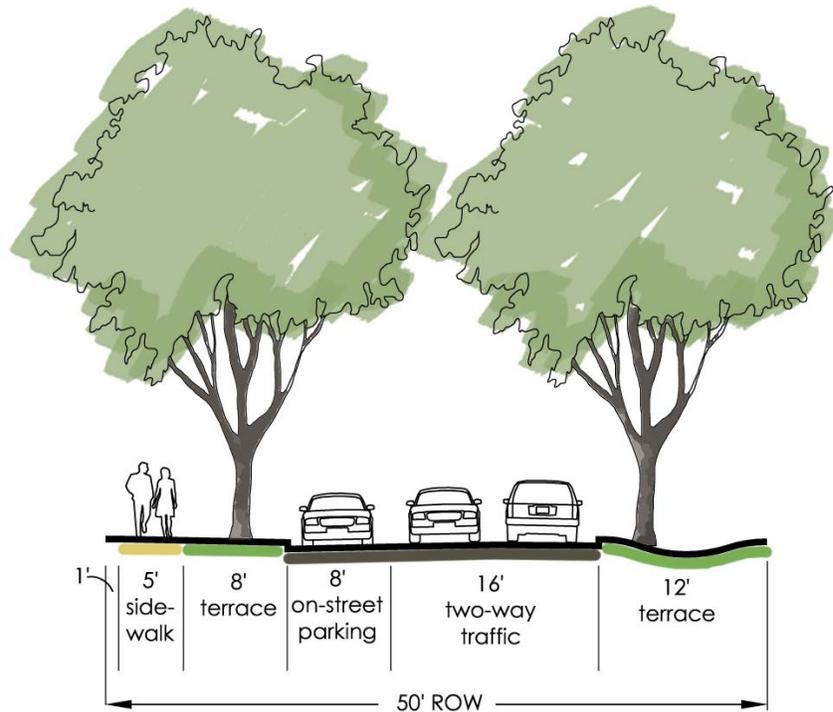
Bishops Bay Residential III

The Residential III cross-section is designated for short segments of street that abut side yards. Because there will be no front doors facing the side street, on-street parking is provided only on one side. Much of the right-of-way width will be dedicated to terrace stormwater management. This cross-section will integrate water quality management into neighborhoods, making water a more visible feature and providing enhanced greenspace amongst areas with smaller residential lots in Bishops Bay.

While corner lots are traditionally encouraged to have garage access off of the side street, lots that adjoin this type of street cross-section should have driveways accessed off of an alley wherever possible, and the primary street if an alley is not available.

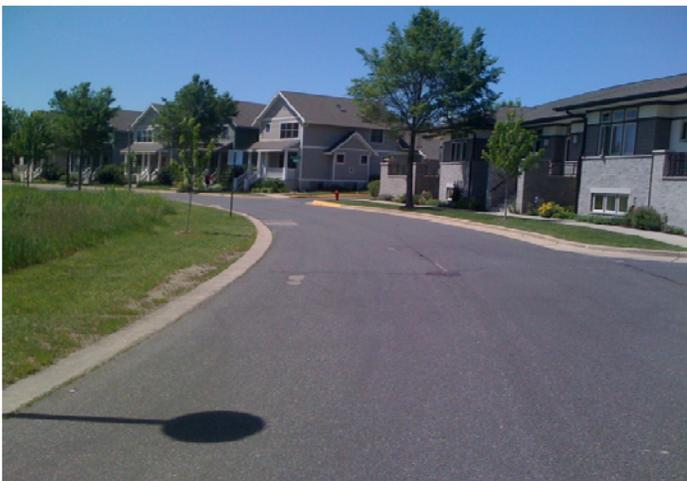
Anticipated Speed Limit	25 mph
ROW Width	60 feet
Curb-to-Curb Width	20 feet
Travel Lane Width	12 feet two-way traffic
Bike Lane Width	N/A
Parking Lane Width	8 feet
Terrace Width	14 feet
Sidewalk Width	5 feet
Curb Type	Regular & Ribbon

Bishops Bay: Residential IV



Bishops Bay Residential IV

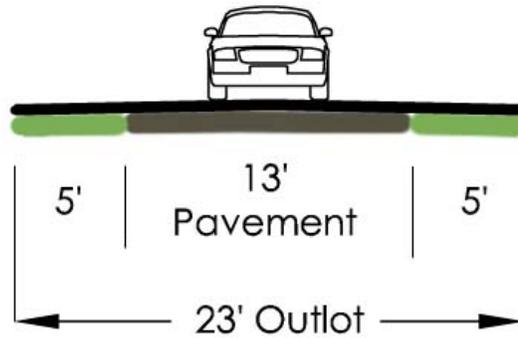
The Residential IV right-of-way will be used primarily for streets adjacent to the golf course and low-volume streets that only front lots on one side. Because those lots will be larger than other single-family lots in Bishops Bay, less on-street parking will be needed. On-street parking and sidewalk will be opposite the golf-course frontage lots.



Anticipated Speed Limit	25 mph
ROW Width	50 feet
Curb-to-Curb Width	24 feet
Travel Lane Width	16 feet two-way traffic
Bike Lane Width	N/A
Parking Lane Width	8 feet (one side)
Terrace Width	8/12 feet
Sidewalk Width	5 feet (one side)
Curb Type	Regular & Ribbon

* The terrace will be 8 feet wide on one side and 12' wide on the opposite (generally golf course) side.

Bishops Bay: Alley



Bishops Bay Alley

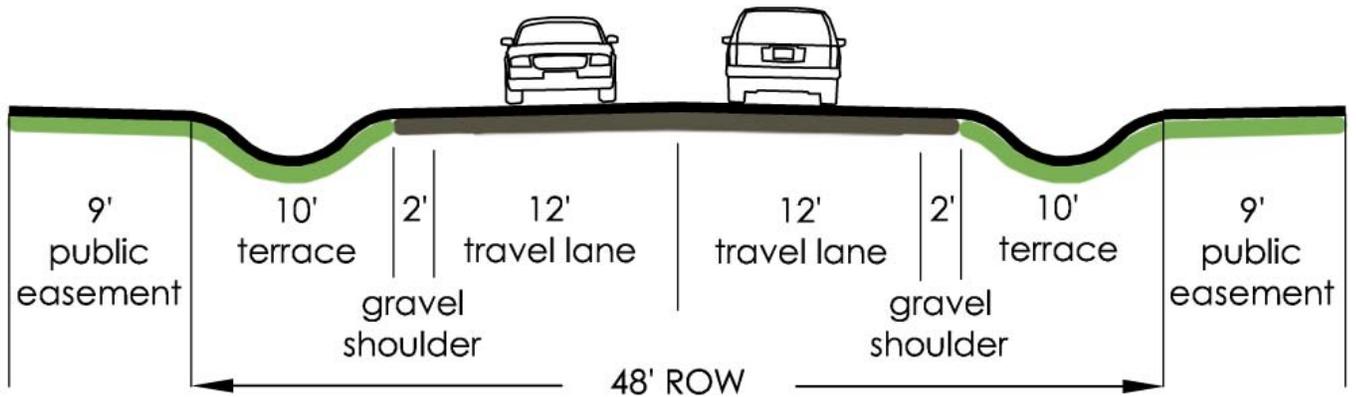
Alleys in Bishops Bay will be privately owned by the neighborhood association. Alleys will have a 23-foot wide right-of-way and 13 feet of pavement. Pavement will provide adequate room for turning vehicles, including garbage trucks, at corners.

Anticipated Speed Limit	10 mph
Outlot Width	23 feet
Pavement Width	13 feet
Travel Lane Width	N/A
Bike Lane Width	N/A
Parking Lane Width	N/A
Terrace Width	5'
Sidewalk Width	N/A
Curb Type	None





Bishops Bay: Rural Residential



Bishops Bay Rural Residential

The Rural Residential cross-section is in place to maintain a feel consistent with the farm and prairie setting that will be surrounding the clustered homes. This designation will have a travel lane in each direction and wide terraces for stormwater management.

Anticipated Speed Limit	25 mph
ROW Width	48 feet
Pavement Width	24 feet
Travel Lane Width	12 feet
Bike Lane Width	N/A
Parking Lane Width	N/A
Terrace Width	10 feet/12 feet with shoulder
Sidewalk Width	N/A
Curb Type	None



The Street and Circulation standards lay out the design parameters for sidewalks, bike paths, and streets throughout the neighborhoods of Bishops Bay. The standards are consistent with requirements for a PUD and CDP, realizing that further technical and design details for the street network and cross-sections will be provided as part of preliminary and final plats. Derivations from the street network and cross-sections may be allowed in consultation with the Plan Commission and Public Works Committee and as design is refined if site conditions merit. Any derivations may be allowed as part of an SIP, so long as they are consistent with the vision for Bishops Bay and the specific neighborhood where the change is proposed.

Traffic Impact Analysis

A Traffic Impact Analysis (TIA) undertaken by the City of Middleton was completed by SRF Consulting Group, Inc. in December 2010. The TIA estimates trip generation for Bishops Bay, and will serve as a guide to future improvements necessitated by increased traffic. The TIA was completed following the standards outlined in the City's 2005 TIA guidelines.

The TIA makes recommendations for improvements at 17 intersections. Most recommendations are to optimize traffic signal timing to accommodate traffic volume changes over time. Some improvements include adding or expanding turn lanes. Most improvements would be necessary with or without the development of Bishops Bay, though some improvements may need to be implemented sooner with Bishops Bay.

The TIA analyzed roadways external to the Bishops Bay development, not the proposed internal road network. The internal road network has been designed to provide excellent circulation within the neighborhood. Development within Bishops Bay will be phased to ensure adequate connectivity as the phases progress. Specific uses or phases within Bishops Bay may require further detailed traffic

analysis to address local neighborhood circulation at the time they are proposed.

Comprehensive Development Plan

Some of the information required for a CDP under Section 19.05(4) is shown elsewhere in this document, specifically:

- The location and approximate size of sites to be reserved or dedicated for parks or other public uses and the location of shopping centers and other non-public uses can be found on Map #6 in Chapter 5 and Map #4 in Chapter 4, respectively.
- Proposed streets are shown on Map #8 in this chapter.
- Proposed stormwater drainage facilities are shown on Map #10 in this chapter.
- Projected population by single-family and multi-family units and an anticipated percentage of multi-family units by bedroom are both shown in the Bishops Bay Statistics section in Chapter 2.
- Map #1 in Chapter 2 shows Bishops Bay's relationship with the surrounding area.

All other information required as part of the CDP is either described below, or shown on the CDP map, which has been submitted as Appendix D to this document (due to the required 1"=200' scale, the maps are not included in this document, but shall be considered part of this document).

Environmental corridors shown on the CDP map are approximate, and will be finalized as part of future SIPs and plats.

Development Team

Owner/Subdivider: The Community of Bishops Bay, LLC, c/o T. Wall Properties, c/o Terrence Wall and Andrew Inman, P.O. Box 7700, Madison, WI 53707. (608) 830-6300.

Engineer, Land Surveyor, Land Planner: Vierbicher, 999 Fourier Drive, Suite 201, Madison, WI 53717. (608) 826-0532. Travis Schreiber, Lead Engineer; Jeff Quamme, Lead Surveyor; Ken Maly, Lead Land Planner.

Legal: Jesse Ishikawa, Reinhart, Boerner, Van Deuren, S.C., 22 East Mifflin Street #600, Madison, WI 53701.

Subsurface Conditions

A subsurface exploration and preliminary geotechnical analysis was performed by AECOM. A brief summary is provided below; the full report, which is dated September 2010, is available upon request.

26 borings of between 10 and 28 feet in depth were completed throughout the Community of Bishops Bay site. The following general soil profile was observed: a layer of topsoil underlain by a low to moderate strength clay layer of varying thickness. The clay is thicker in lower-lying areas of the site, and, in some cases, nearly absent at higher elevations. The “clayey” soils are typically underlain by granular soils to boring termination depths.

Topsoil varied in depth from two to three feet, and silty clay varied in depth from about two feet to about eight feet. Moisture content of soils varied from 13 to 36 percent, indicating slightly to moderately compressible soil. Fill soils were encountered in some locations. Fill typically consisted of silt, clay, and sand, in varying mixtures. Construction debris, such as concrete, asphalt, metal, wood, and plastic were identified on the school/civic site.

Groundwater was not observed at most boreholes during or after drilling, indicating that groundwater is deeper than 10 feet below the surface of most of the site. Groundwater was encountered at 1.5 feet area at the low area near the northwest corner of the site.

Existing Land Use & Zoning

Existing land use within the Bishops Bay boundary is open space, agricultural, and residential. Land recently annexed into the City of Middleton is zoned Agricultural Transition. The remaining Town of Westport area is subject to the Middleton/Westport Joint Planning Area zoning regulations contained in Section 10.96 of the City of Middleton zoning ordinance. Governor Nelson State Park is to the east of the development, and is zoned RE-1 Recreational District. Bishops Bay Country Club is to the south, and is also zoned RE-1; Holy Wisdom Monastery, also to the south, is zoned A-2 Agriculture District. Area to the west is mixed between A-1 EX Exclusive Agriculture District (in the Town of Westport) and R-1 Residential (in the City of Middleton). Area to the north is primarily A-1 EX.

Approximate Development Schedule

Construction in Bishops Bay is anticipated to break ground in 2012. Build-out is expected to last about 20 years, and will be phased according to market demand.

Projected Population by Type of Unit & Projected Breakdown of Multifamily Units by Bedroom

The following chart estimates population for the City portion of Bishops Bay by type of unit.

The CDP also requires a projected breakdown of multi-family units by the number of bedrooms on a percentage basis:

The percentage of efficiencies and one bedrooms are skewed higher due to anticipated senior housing, which is generally designed as one bedroom for independent living, and efficiency for assisted living and nursing care. Regular apartments will be 90% one- or two-bedroom units, with about 5% each for efficiencies and three-

bedroom units. Townhomes, condominiums, and 2-, 3-, and 4-plexes are anticipated to be about 55% one-bedroom, 35% two-bedroom, and 10% three-bedroom units.

Unit Type	Projected Population per Dwelling	Anticipated Number of Units	Projected Population
Single Family	2.55	766	1,953
2-3-4-plex/Condo/Townhome	2.21	800	1,768
Apartments/Senior Housing	1.84	874	1,608
Total:	—	2440	5,329

Note: An additional 510 single-family units are anticipated for the Town of Westport portion of Bishops Bay.

Number of Bedrooms in Unit	Projected Percent of Multi-Family Units
Efficiency	20%
One Bedroom	50%
Two Bedroom	25%
Three Bedroom	5%

Stormwater Management

The Community of Bishops Bay will incorporate extensive stormwater management facilities that will meet and exceed the City of Middleton’s and the Town of Westport’s stormwater performance requirements. A Master Stormwater Plan has been developed to address applicable City of Middleton, Town of Westport, and CARPC criteria for Bishops Bay. The Master Stormwater Plan is the governing document for the development’s stormwater management throughout life of the project. The purpose of this section is to summarize the Stormwater Management Plan components and to address the requirements of Sections 10.85 and 19.05(4) of the City of Middleton Ordinances. The stormwater facilities will be designed, permitted and constructed by phase over the life of the project. The intention is that stormwater

management areas installed on public land will be publicly maintained, and stormwater management areas installed on private land will be privately maintained. However, the management policy for specific stormwater areas will be decided by the City and developer at the final plat stage.

The Community of Bishops Bay is unique in that it is located within two municipalities and several sub-watersheds. See Map #9 for existing watershed boundaries.

The stormwater management plan utilizes existing drainageways and minimizes the modification of steep slopes to retain as much of the existing topography and drainage patterns as possible. The overall neighborhood plan incorporates not only stormwater management measures as shown on Map #10, but also has extensive prairie and woodland areas that will be restored to further assist in infiltration and groundwater recharge.

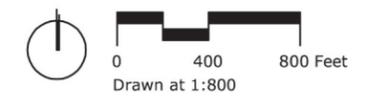
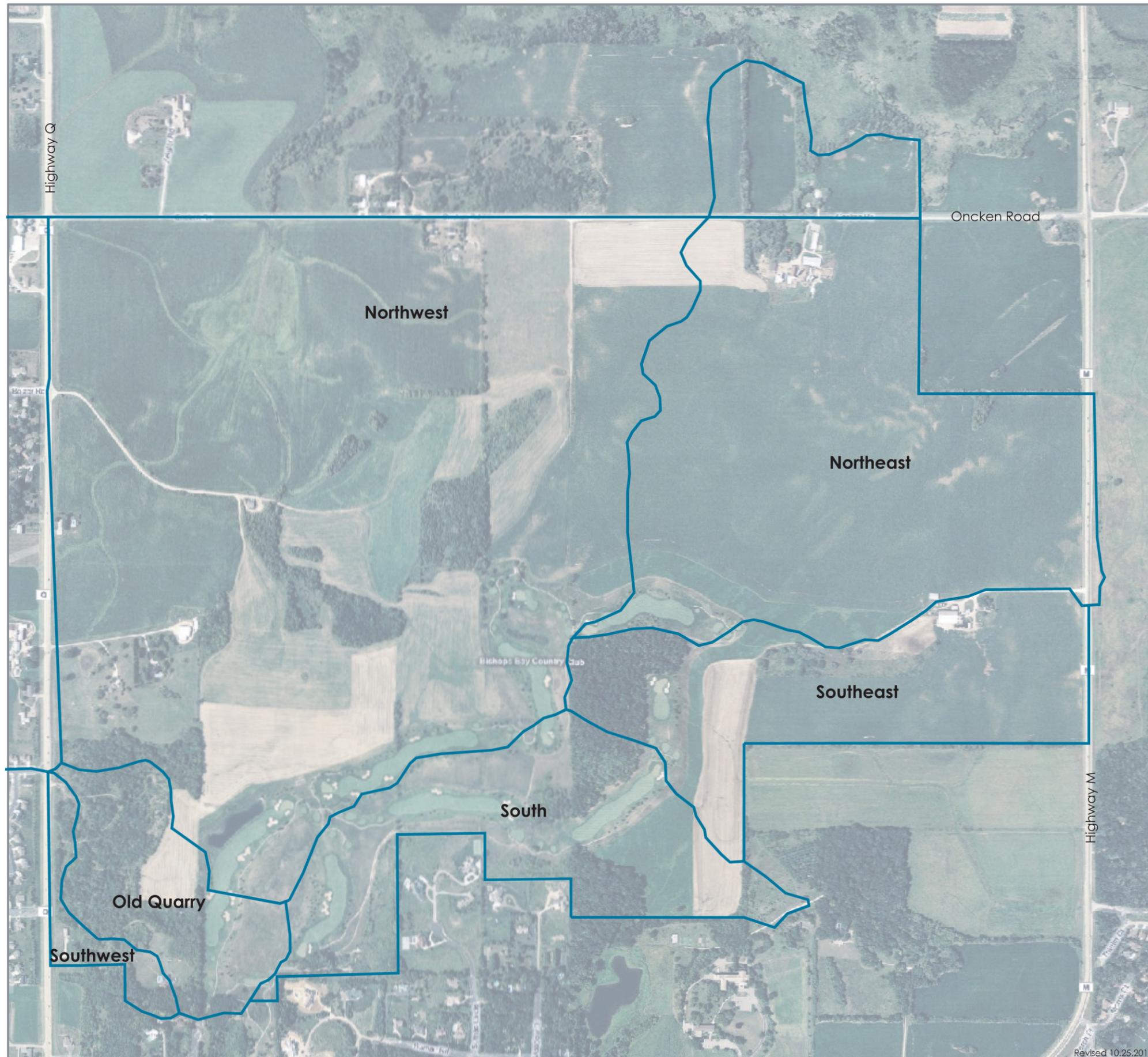
Stormwater Management Measures and Standards

The Stormwater Master plan addresses the City of Middleton requirements of rate control, total suspended solids (TSS) removal, infiltration, groundwater recharge, and oil and grease control. The overall plan addresses additional requirements of CARPC and the Town of Westport for recharge and volume control respectively.

Rainfall Data					
	1-Year Storm	2-Year Storm	5-Year Storm	10-Year Storm	100-Year Storm
Inches/24 hours	2.50	2.90	3.60	4.20	7.06 (City) 6.00 (Town)

	Impervious Cover (acres)	Pervious Cover (acres)
Town of Westport	81.63 (19.9%)	329.17 (80.1%)
City of Middleton	217.45 (33.4%)	434.55 (66.6%)
Total	299.08 (28.1%)	763.72 (71.9%)

Map 9: Stormwater Drainage Areas

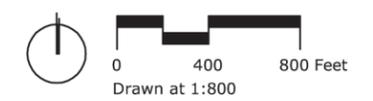


Map 10: Stormwater Management Facilities

- Raingarden/Bioretention
- Infiltration
- Underground Infiltration/Storage
- Wet Detention
- Anticipated City of Middleton/Town of Westport Boundary



NOTE:
 Facility sizes and locations are based on conceptual design and may be modified as part of final design and local approval process.



Revised 10.25.2010

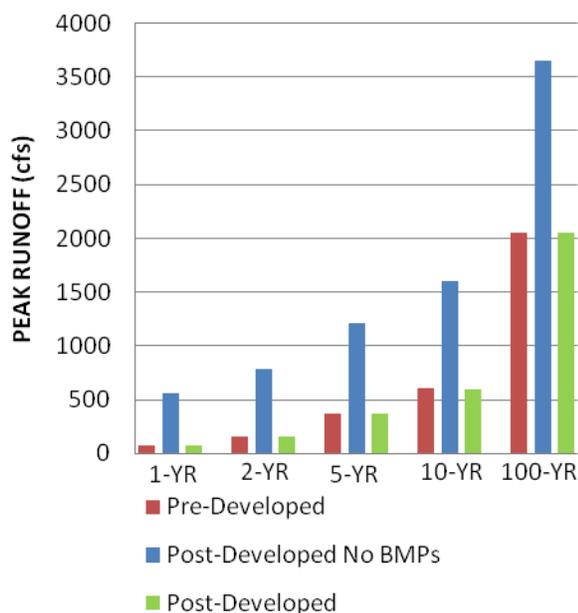
The City of Middleton has more restrictive requirements than many communities in Dane County for predevelopment curve numbers and rainfall data. Peak flow rates were calculated using the City’s predevelopment curve numbers and rainfall data. Runoff volumes were calculated using the Town’s predevelopment curve numbers and rainfall data.

Predevelopment Curve Number Requirements for the City of Middleton assuming pre-settlement: A=30, B=58, C=71, D=78.

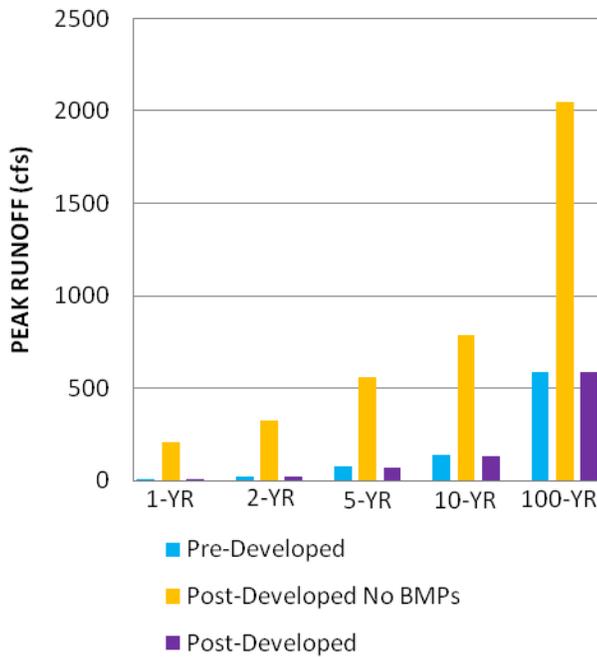
Predevelopment Curve Number Requirements for the Town of Westport for agricultural land: A=51, B=68, C=79, D=83.

The developed condition curve numbers have been calculated assuming impervious cover areas, not a general land use curve number. These curve numbers and rainfall data have been used in stormwater modeling to show compliance with all City and Town requirements. The following table reflects the impervious cover for each municipality that was assumed for developed condition modeling.

CITY OF MIDDLETON PEAK FLOW CONTROL



TOWN OF WESTPORT PEAK FLOW CONTROL



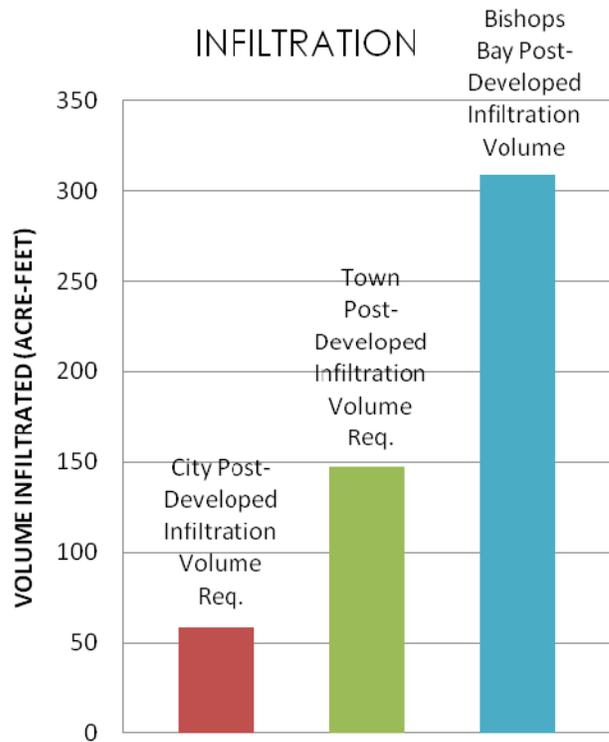
Bishops Bay will meet and exceed the City's and Town's requirements for peak rate control. The peak rate control was calculated using the City's pre-developed curve numbers and rainfall data. Stormwater facilities will be designed to reduce the peak flow of post-developed conditions to pre-developed flow rates for the 1, 2, 5, 10, and 100 year events. For events greater than 100 year, an overflow will be designed to accommodate and safely pass the flows.

The previous graphs illustrate the modeled rate control provided within the City and the Town.

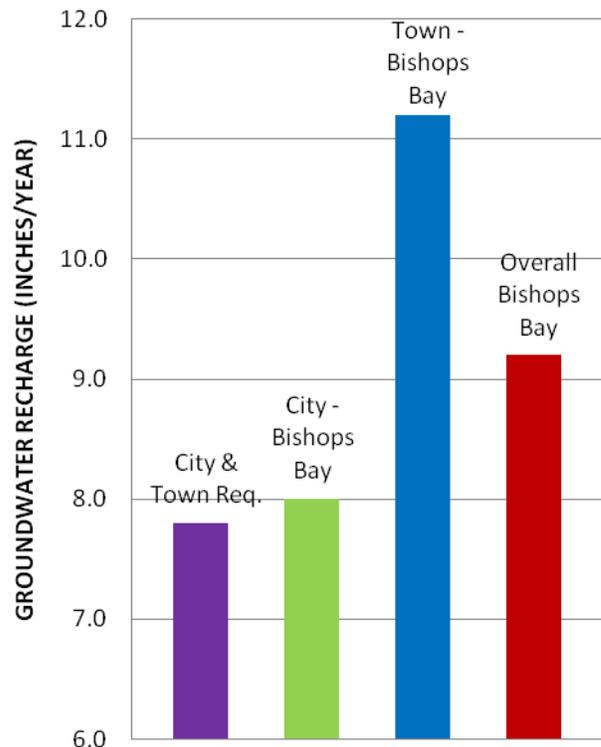
As shown above, the rate control provided by the proposed Best Management Practices (BMPs) meets and exceeds the City of Middleton and Town of Westport Standards. The main feature for the City of Middleton will be the proposed lake.

The City of Middleton requires residential developments to infiltrate 90% of the average annual pre-developed infiltration volume. Non-residential developments are required to infiltrate

INFILTRATION



GROUNDWATER RECHARGE



60% of the average annual pre-developed infiltration volume. The Town of Westport requires the developed runoff volume be equal or less than the pre-developed runoff volume for the 100-year, 24-hour storm event.

The average annual rainfall data is comparable to a 1-year, 24-hour storm event. The following chart illustrates the infiltration requirements for each municipality and what will be required of Bishops Bay. The entire Community of Bishops Bay will be required to infiltrate the increased runoff volume from the developed conditions such that there is no increase in runoff from pre-developed condition.

In addition to providing infiltration, the development will maintain a groundwater recharge rate of 7.6 inches per year within the City. The 7.6 inches per year is required by both municipalities. At full build out, the overall site will actually provide more groundwater recharge than the required City amount in order to meet the CARPC goal of 9 – 11 inches per year over the entire site. To meet the CARPC goal, the Town of Westport area will provide approximately 11 inches of groundwater recharge per year due to the greater areas of open space. The City of Middleton area will provide approximately 7.6 inches of groundwater recharge per year. The Groundwater Recharge graph depicts the requirements.

Stormwater runoff will be treated to remove 80% of Total Suspended Solids (TSS) and, where applicable, oil and grease control will be provided. TSS removal will be demonstrated during the final design and permitting phase for each respective BMP.

Stormwater Treatment

A number of stormwater treatment devices will be utilized to meet the respective stormwater goals for land uses ranging from commercial to single family lots. Regardless of the land use, low impact

stormwater design methods using source control measures will be implemented. These facilities may include bioretention basins, biofilters, and rain garden-type features which will receive and treat stormwater runoff near where water falls. These facilities may provide several of the required forms of treatment such as TSS reduction, infiltration, and oil & grease control.

Regional stormwater treatment will also be utilized and will include wet detention basins (for peak flow reduction, TSS removal), and infiltration basins. Recreational uses may be integrated within a regional stormwater facility.

Bishops Bay will be designed with an emphasis on maintaining existing woodland areas, drainage patterns, and discharge points. These features will influence the creation of environmental corridors. The stormwater facilities will be integrated into the natural landscape and within the proposed infrastructure to blend in with the overall development aesthetic.

Map #10 shows the types of BMPs proposed and the dispersal within the site. The map provides a depiction of the general space needs and location. The ultimate configuration will be determined through the final design and permitting phase for each BMP.

Stormwater ponds will be installed prior to land disturbing activities for each phase of development. The phasing of stormwater facility construction may require temporary facilities. Infiltration facilities will be protected against sediment-laden construction runoff to maintain infiltrative function. This may be done by delaying construction until such time that the majority of the tributary area is built out and restored, or by constructing the facility and bypassing construction runoff until a sufficient area is restored with vegetation.

Dedication of public stormwater facilities will take place at the time of platting.

There are no wetlands identified on the Wisconsin Wetland Inventory Maps on the Community of Bishops Bay development area. Wetland delineation will be done at the time of final design and permitting.

The Wisconsin Department of Natural Resources has determined that there are no navigable waterways on the site.

Through the use of a low impact development approach, the proposed BMPs will successfully mitigate stormwater runoff in the post-developed condition to meet the City of Middleton, Town of Westport, and other applicable standards. A separate stormwater master plan has been prepared to serve as the basis for the entire development. The Master Plan will receive a technical review by the City of Middleton, Dane County Land Conservation, CARPC, and the Town of Westport.

Utilities

Bishops Bay will include the full range of utility service required for urban development. Map #11: Water Service and Map #12: Sanitary Sewer Service in this chapter show anticipated utilities layout and address Section 10.83 of the City of Middleton ordinance. Bishops Bay will be served by two sanitary sewer districts. Bishops Bay is anticipated to be served by two water utility districts with water for both utilities likely provided by the City of Middleton Water Utility. Installation of utilities will be phased with development. Phasing of utilities will be designed to function reliably in both the short and long term. A utility study has been performed for the Community of Bishops Bay, and has been included as Appendix C to this document.

Public Sanitary Sewer System

The conceptual layout for the sanitary sewer is shown in Map #12. The layout may be modified depending upon final design of the system. The

sewer service will be provided from both the City of Middleton and Town of Westport. The table in this section summarizes the estimated demand from the proposed service area to be served by each jurisdiction.

Sanitary Sewer Service Summary	
Area Served by	Jurisdiction Served
City (Gravity)	City
Town (Gravity)	Town
Town (Force)	City and Town

The sewer system is proposed to be split into three drainage areas. The three areas include a gravity sewer system to the City of Middleton sanitary sewer system, a gravity sewer system to the Town of Westport sanitary system, and a combination gravity and force main system to the Town of Westport pumping station at Mendota Park. The three areas are estimated to generate an average daily wastewater flow of 91,100 gpd, 47,700 gpd, and 484,400 gpd, respectively.

City Sanitary Sewer System

The western portion of The Estates neighborhood and a portion of The Commons neighborhood is proposed to drain by gravity sewer to the City of Middleton sanitary sewer system at Heron Trail. There is an existing 12" sewer in Heron Trail with available capacity of to take on additional peak flows from Bishops Bay. There may be a small portion of multi-family in this area that will connect to the existing 8" sewer at Indigo Way, which has adequate remaining capacity. The 8" sewer connects to the existing 12" sewer at Indigo Way and Sandhill Drive.

Town of Westport Sewer System - Gravity

The eastern portion of The Estates neighborhood, along with The Woods and The Prairie neighborhoods is proposed to drain by gravity sewer to an existing 8" Town of Westport sewer on S. Meadow Drive.

Town of Westport Sewer System – Pumping Station

The Farm neighborhood on the northeast side of Bishops Bay is proposed to drain to the future East Lift Station to be constructed at the northeast corner of the development. This lift station will pump by force main and connect to the gravity sewer piping which will discharge into the West Lift Station to be constructed in the northwest corner of the development. The Landing, The Town Center, and The Commons neighborhoods will drain to this lift station by gravity sewer. The West Lift Station is proposed to pump through force main which will be constructed through the development to CTH Q and then ultimately to the Town of Westport sewer and pumping station in Mendota Park. Modifications will be necessary to increase the capacity of the Town of Westport Mendota Park lift station and force main as development occurs in Bishops Bay.

anticipated to result in lower per-capita water demand from Bishops Bay residents than the current City of Middleton average.

Water

The portion of Bishops Bay located in the City of Middleton will be served by the Middleton Water Utility. The portion in the Town of Westport will be served by the Town of Westport Utility with water likely provided by the City of Middleton Water Utility. A 12-inch water main currently exists in the east right-of-way of CTH Q immediately south of the amendment area. As development occurs, additional water distribution mains will be extended into the neighborhood within street right-of-way. The water mains along the local streets will be a minimum of eight inches in diameter. Other conceptual future water main loops are shown on Map #11.

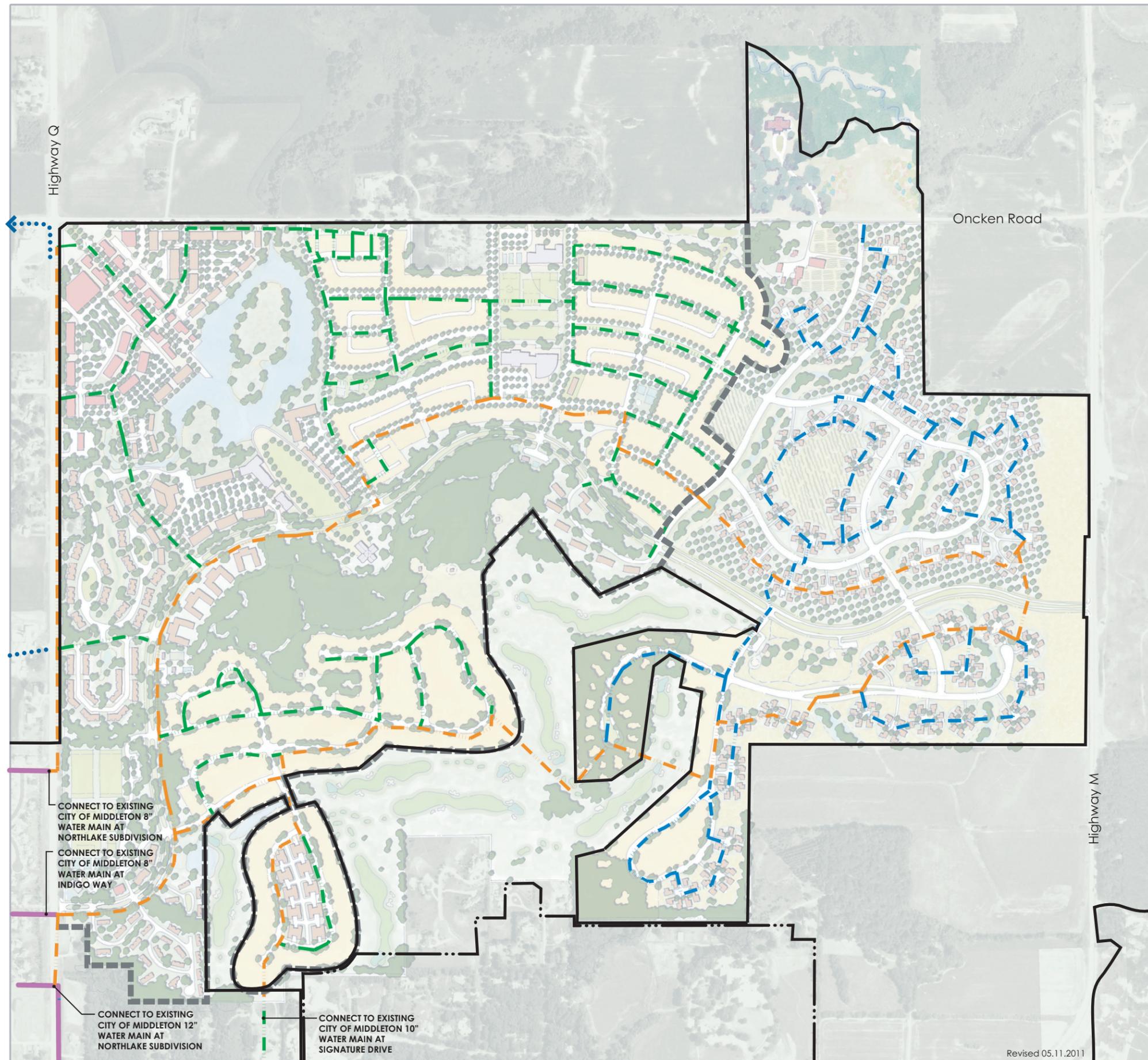
The current well capacity of the City of Middleton's water system is sufficient to serve Bishops Bay and maintain a buffer between anticipated peak hourly demand and total capacity.

Water conservation measures, such as natural landscaping, reduced "suburban" lawns, and lower-flow fixtures will reduce water demand throughout Bishops Bay. These measures are

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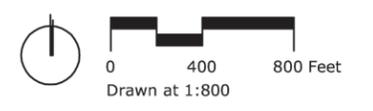
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Map 11: Water Service



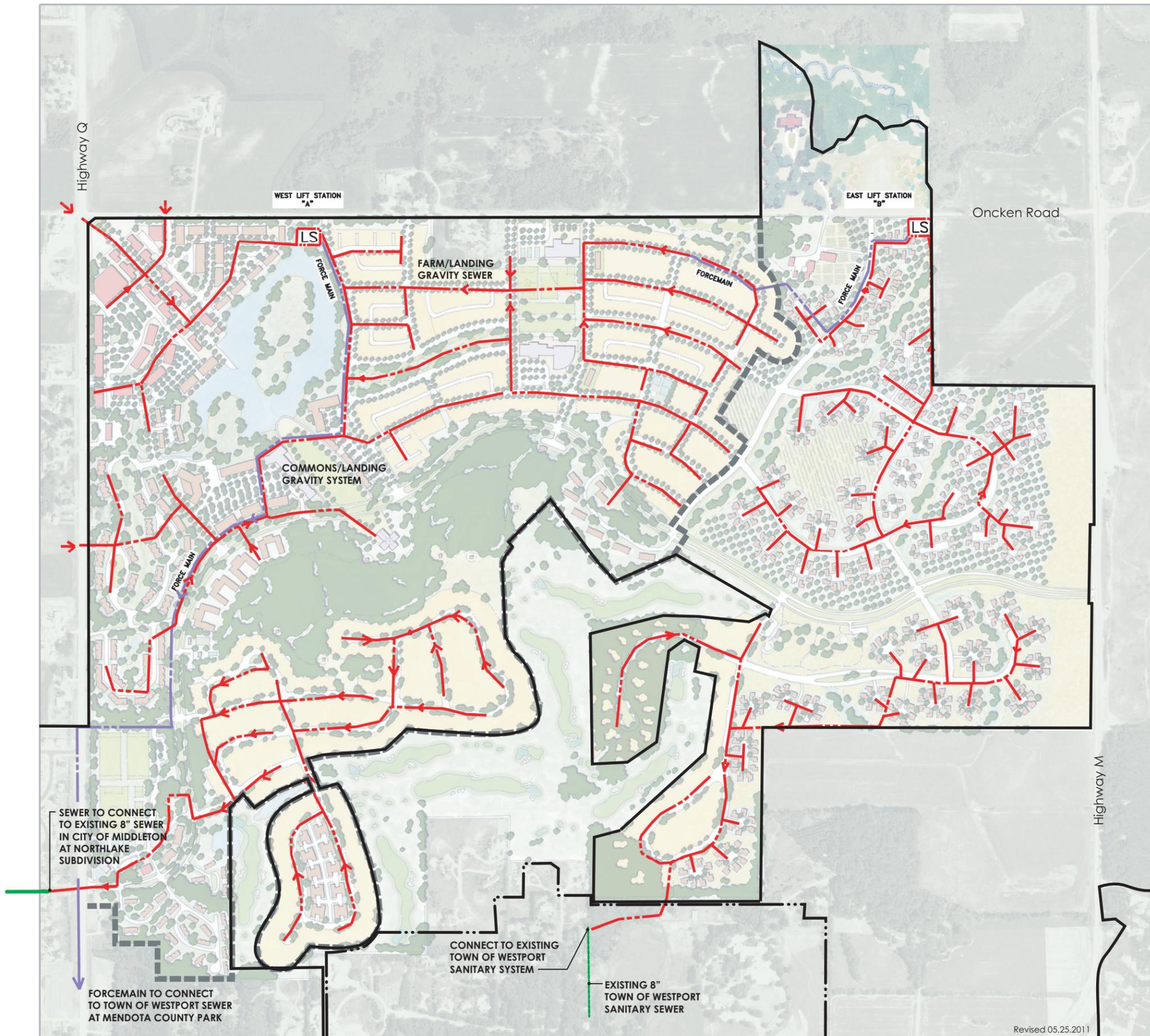
- Existing Central Urban Service Area
- - - Existing Fox Bluff Limited Service Area
- Potential Future Water Main Loop
- - - Proposed Water Main- 8" (typ.)- City of Middleton
- - - Proposed Water Main- Town of Westport
- - - Proposed Water Main- 16"
- Existing Water Main
- - - Anticipated City of Middleton/Town of Westport Boundary

NOTE:
Utility locations based on conceptual design and will be modified as part of final design and local approval process.



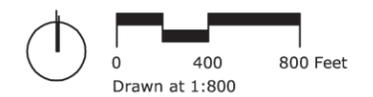
Revised 05.11.2011

Map 12: Sanitary Sewer Service



- Existing Central Urban Service Area
- Existing Fox Bluff Limited Service Area
- Proposed Gravity Sanitary Sewer Main
- Proposed Sanitary Sewer Force Main
- Proposed Sanitary Sewer Lift Station
- Existing Sanitary Sewer
- Anticipated City of Middleton/Town of Westport Boundary

NOTE:
Utility locations based on conceptual design and will be modified as part of final design and local approval process.



Revised 05.25.2011

Chapter Seven:



Administration

This document, which contains Comprehensive Development Plan (CDP), General Implementation Plan (GIP), and Design Review District (DRD) information, will serve as the City's and Town's framework for approving future development within Bishops Bay. Bishops Bay will build out over the next 20-plus years. As such, a consistent set of procedures are needed for current and future municipal Staff, Plan Commissions, City Councils, and Joint Zoning Committee to use when reviewing submittals for Specific Implementation Plans (SIPs), SIP modifications, GIP amendments, and Design Review applications.

The Plan Commission is cited in various review processes in this chapter, with the understanding that the Joint Zoning Committee shall operate as the Plan Commission in the Town of Westport portion of Bishops Bay. Applications for all items in this chapter shall be made to the City, and shall be forwarded to Town staff for development that will occur in the Town.

Specific Implementation Plans & SIP Amendments

SIP Distinguished from Design Review

City ordinance Section 10.89 states that an SIP *"shall contain graphic and tabular presentations at a level of detail equivalent to the level of detail of a final plat,"* and that the SIP *"may include site plan and design information, allowing the Plan Commission to combine design review and review of the Specific Implementation Plan."*

As such, SIP applications shall *only* contain information required by the City of Middleton's Preliminary and Final Plat portions of the City's subdivision ordinance (Sections 19.05(1), (2), and (3)) and designation of the Lot

Type(s), as described in this document. Therefore, modifications to elements such as individual site plans, building designs, landscaping, signage, lighting, and parking shall be considered under design review, while changes from one lot type to another or modifications to lot sizes, street types/ layouts, and provision of public utilities (as described in the subdivision code) shall be considered SIP modifications and handled accordingly.

Similarly, any actions that would require a replat for a standard (i.e., non-PDD) subdivision shall be considered SIP modifications, as are:

- Variations to setbacks and lot specifications in the Regulating Plan section for all lot types (variations to height and encroachments may not be granted as part of the SIP process or considered as SIP modifications).
- Changes in lot type designation (so long as the lot type change within a neighborhood is consistent with the lot types permitted in that neighborhood).

Site plans and building designs, and changes to the same, shall be considered as part of the Design Review process rather than as part of the SIP review process.

The use of different approval processes for SIPs and Design Review shall not prevent submittal and consideration of a SIP concurrent with submittal and consideration of Design Review materials. However, all SIP submittals and Design Review submittals shall be made separately and acted upon separately by the Plan Commission. Note that Design Review, as required by this chapter, must occur prior to the issuance of building permits.

Specific Implementation Plan Review Procedure

Applications for a SIP approval or amendment shall be made in accordance with City procedures and ordinances. All applications shall be made to City Staff and forwarded to the Town as necessary.

In addition, no application for approval of an SIP or an SIP modification shall be considered complete without the written approval of the Bishops Bay Owners Association.

Vision

In reviewing an application for an SIP or SIP modification, Staff and the Plan Commission shall apply the standards set forth in:

- The Bishops Bay overall vision, as described in Chapter 3; and
- The neighborhood vision, as described in Chapter 3. Where circumstances (such as market conditions) warrant, however, an SIP may alter the boundaries between the various neighborhoods shown on Map #3.

Regulating Plan & Lot and Building Form Standards

SIP submittals shall designate a lot type, as described in the table on page 25. SIP submittals may also specify lot line types (front, side, rear) as described in "Lot Lines—General" on page 26.

Building form standards will be considered as part of the Design Review process rather than as part of the SIP process.

Design Review

Design Review approval is required for properties in the TH-R, MF-R, MU, C, and NC districts for both permitted and conditional uses. Design Review approval is also required for all permitted and

SIP & Major SIP Modification Flowchart



conditional uses in the Utilities and Community Facilities land use section (regardless of district), except for parks that are considered a permitted use. All districts in Bishops Bay designated in this section shall be considered part of the Bishops Bay Design Review District (DRD). The Bishops Bay DRD requires Design Review prior to issuance of building permits for the above described districts and land uses, even if SIP approval has been granted. Development in the T-R district shall not require design review in the Bishops Bay DRD.

Design Review Applications

Applications for Design Review shall be made in accordance with the City's Design Review procedures, as codified in Section 10.100. In addition, the applicant shall:

- Specify how the design standards set forth in this document have been met.
- Show, on any relevant elevations and site plans, how the proposed site layout and building(s) meet the design standards contained in this document.

In addition, no application for design approval shall be complete without the written approval of the Bishops Bay Owner's Association.

Design Review Procedure

The procedure for Design Review shall be as established under Section 10.100 of City of Middleton ordinances.

Applications for Design Review shall be submitted for Staff review and placement on the Plan Commission agenda. Because TH-R, MF-R, MU, C, and NC districts are considered to be part of the Bishops Bay DRD, Staff and the Plan Commission shall consider shall consider the following sections of this document when administering Design Review in Bishops Bay in place of the normal City standards outlined in Section 10.101 and Section 10.102.

Vision

In reviewing an application for Design Review, Staff and the Plan Commission shall apply the standards set forth in:

- The Bishops Bay overall vision as described in Chapter 3; and
- The neighborhood vision, as described in Chapter 3.

Lot and Building Form Standards

In reviewing any application for Design Review, the Plan Commission shall apply the Lot and Building Form Standards within Chapter 4. The Plan Commission may, at its discretion, and with the written consent of the Bishops Bay Owners Association, grant exceptions to items other than the Lot and Building Specifications for cause, if literal interpretation is infeasible due to specific site conditions or would result in a conflict with the overall Vision for Bishops Bay or applicable neighborhood vision, as described in Chapter 3. If such exceptions are granted, they shall be noted in the minutes of the Plan Commission and attached to the approved plan set.

Landscape Standards

In reviewing any application for Design Review, the Plan Commission shall apply the Landscape Standards in Chapter 4.

Parking Standards

In reviewing any application for Design Review, the Plan Commission shall apply the Parking Standards in Chapter 4.

Lighting Standards

In reviewing any application for Design Review, the Plan Commission shall apply the Lighting Standards in Chapter 4.

Signage Standards

Signage for development in Bishops Bay shall be governed by Chapter 22 of the City of Middleton

Code of Ordinances. Any additional standards in the Signage Standards section in Chapter 4 of this document shall also apply.

Signage in Bishops Bay shall be submitted and considered according to procedures in Chapter 22 of the City of Middleton code, except that signage shall not be considered as part of an SIP. Signage, and a Comprehensive Sign Plan (CSP) where required, is encouraged to be submitted as part of Design Review.

Should signage or a Comprehensive Sign Plan be submitted separately from Design Review, the plan shall be considered under the permitting procedures in Chapter 22, and shall not be considered an SIP modification. Any variances to signage requirements under Chapter 22 shall be dealt with through the sign variance procedure contained in that Chapter, rather than through an SIP modification.

Minor Design Review Variations

Section 10.100(4) of City of Middleton ordinances states that: *"A project that has had design review and that has a zoning/building permit is approved for execution only in accord with the directives included in the design review approval. Construction or execution that deviates from directives may not occur within the terms of this Ordinance without prior City approval. The Zoning Administrator is responsible for determining whether to give staff approval to such deviations on a finding that they are minor variations as to the Plan Commission's decision or whether full Plan Commission review and approval is needed upon a finding that the deviations are major."*

For clarification purposes, the following items shall be considered minor variations to design review in Bishops Bay, so long as they generally comply with the standards listed in the Design Review Procedure subsection and so long as they have been approved in writing by the Bishops Bay Owners Association:

- Signage installation or alterations that comply with a CSP (applications that are governed by a CSP but do not comply with the CSP shall require Plan Commission review).
- Signage that may be issued by Staff according to Chapter 22 of the City of Middleton code.
- Modification of previously approved lighting plans that will comply with Chapter 33 of the City of Middleton code.
- Fencing installation or alterations that comply with this document.
- Landscaping installation or alterations that comply with this document.
- Minor façade alterations that comply with lot and building form standards and do not substantially affect the façade appearance.
- Replacement or enhancement of site element screening, as discussed in the Commercial and Multi-family Residential Landscaping subsection of Chapter 4.
- Any staff approvals of any design-related items that are granted within City of Middleton ordinance that are not prohibited or specified for commission or committee review by this document and that comply with regulations in this document.

The above items shall be considered minor variations to Design Review that are subject to staff approval even if the language of Section 10.100(4) is amended or altered in any fashion. This list shall not preclude staff from judging other non-listed items of similar significance as "minor" at their discretion.

Staff denial of a minor Design Review variation may be appealed to the Plan Commission. Staff (or the Plan Commission, if a minor variation is appealed) shall not approve minor variations without a letter of approval from Bishops Bay Owner's Association.

Master Development Plan Amendments

This Master Development Plan constitutes a General Implementation Plan and a Comprehensive Development Plan under City of Middleton ordinances. Any amendment to this Master Development Plan shall be subject to the procedures set forth in those ordinances for approving General Implementation Plans and Comprehensive Development Plans. Furthermore, this Master Development Plan constitutes an ordinance creating a Design Review District (DRD) under Section 10.99(8) of City of Middleton ordinances for the lands described herein that are within the City. Any amendment to this Master Development Plan that would remove all or any portion of such lands from the Design Review District shall be subject to the procedures for amending an ordinance.

Conditional Uses

The zoning component (PDD-GIP) of this document contemplates that, as with the City of Middleton zoning ordinance and the Dane County zoning ordinance, there are certain land uses or structures that, due to unique qualities, require special consideration by the City or the Committee. These uses, designated with a "C" on the land use, accessory use, or accessory structure charts in the Land Use section of Chapter 4, shall be acted subject to Section 10.115 of the City Zoning Ordinance as well as any additional standards set forth in Chapter 4 that apply to conditional uses. Furthermore, no application for approval of a conditional use shall be complete without the

written approval of the Bishops Bay Owner's Association.

In cases where the Conditional Use application originates in the Town, the Committee shall hold the public hearing and consider the application; appeals of the decision would still be made to the Middleton City Council. The review process for a Conditional Use permit may run concurrently with consideration of Design Review by the Plan Commission or the Joint Zoning Committee.

Use Permits

A Use Permit (UP) designation under the principal or accessory uses and structures charts indicates that a permit is necessary from City or Town staff prior to implementing the use and/or constructing or installing any structure associated with the use. Use Permit items typically have a fairly low impact on the surrounding area, or may have a moderate impact for an abbreviated amount of time (such as a farmer's market). Use Permit applicants shall submit all of the following:

- The written approval of the Bishops Bay Owner's Association.
- A narrative describing the proposed use or structure, including hours/days of operation, if applicable.
- A letter from the property owner authorizing the application (if the applicant is not the property owner).
- A site plan sketch.

Staff shall review the Use Permit request to ensure a reasonable site layout that minimizes impacts on neighboring properties. The conditions of operation described in the narrative shall become

Master Development Plan Amendment Flowchart



conditions of operation, and a new permit must be applied for if the conditions change. Use permits for permanent structures run with the land, use permits for land uses without permanent structures are issued to the applicant. Denial of a permit may be appealed to the Plan Commission (in the City) or the Committee (in the Town).

Design Review Not Required For Residential Development

Residential development in the Co-R, G-R, V-R, M-R, GE-R, CI-R, and T-R districts shall not require Design Review or Plan Commission/Joint Zoning Committee review. Staff may not issue a building permit without the written approval of the Bishops Bay Owner’s Association.

Miscellaneous Provisions

The following provisions apply to this document and the Bishops Bay development.

Ordinance & Statute References

This document references numerous City Ordinances and State Statutes. Should any such ordinance or statute be renumbered or amended, the reference in this document shall refer to such ordinance or statute as renumbered or amended.

Appendices Included

References to “this document,” “the Plan,” or “this Plan” shall mean the Bishops Bay Master Development Plan and its appendices. Some appendices may be submitted under separate cover, but shall be considered part of the MDP if they are listed in the Table of Contents.

Rules of Construction, Conflict, and Separability

The rules of construction, conflict, and separability set forth in Sections 30.01 and 30.02 of the City of Middleton Ordinances shall apply to this document.

Areas to Which this Document Applies

This Document applies to all lands located within the boundary shown on Map #2 and to such lands that may be added to the area shown on Map #2 by amendment of the PDD-GIP and Design Review portions of this document.

The PDD-GIP and Design Review portions of this document apply to Town lands within the boundary on the basis of the City’s extraterritorial zoning authority, per Section 10.96 of the City of Middleton Ordinances. Though the City retains approval authority over subdivision of land in the Town of Westport, subdivisions must occur in accordance with County ordinances rather than City ordinances. Therefore, while the land divisions shown in the Town portion of the Bishops Bay development illustrate the intent for development within the Town, approval for land division in the Town must occur through a separate County approval process.

Conditional Use Flowchart

Submit Application;
Initial City Staff Re-
view



Plan Commission Initial Review; Set Public
Hearing Date; Other Committee Review
as Necessary



Plan Commission Public
Hearing; Review; Con-
sider Permit Request

Appendix A:



Definitions

The following definitions apply to this document:

Accessory Use: A use of property or an activity that is subordinate and incidental to the principal/main use and/or activity and that does not alter the appearance of the premises or the external impacts that the premises has on the neighborhood so as to be out of character with the dominant, principal uses allowed under the individual zoning district designations contained within this PDD.

Accessory Structure: A structure that is subordinate and incidental to the principal/main structure and that does not alter the appearance of the premises or the external impacts that the premises has on the neighborhood so as to be out of character with the dominant, principal uses allowed under the individual zoning district designations contained within this PDD. Accessory structures shall in no case be larger (in square footage or volume) or taller than the principal structure.

Alley: A public or neighborhood association-controlled right-of-way, of narrower width than a street, which provides secondary means of access to the side or rear of an abutting property and is not intended for general traffic circulation.

Auto-Related Business: Businesses that primarily serve, sell, rent or maintain automobiles, motorcycles, scooters, and similar vehicles, including: gas stations, service stations/vehicle repair, vehicle or mobile home sales, convenience stores associated with gas stations, car washes, auto dealerships, auto rental facilities, and businesses with drive-through sales (banks with drive-through service are not included in this definition).

Agricultural Retail: Sale of produce, meat, and animal products grown or produced (in whole or in part) by the owner of the parcel where the sale is occurring.

Building: See Section 10.150(3) of City of Middleton zoning ordinance.

Building Height: See Section 10.150(4) of City of Middleton zoning ordinance. Retaining walls or other landscape features in the front yard that are used to artificially increase the mean ground level immediately adjoining the front of the structure shall not be considered in the building height calculation. Maximum height is also measured in stories (see “Story” for definition of what constitutes a story). The following structures are permitted to exceed the maximum height regulations within any lot type where the use is allowed: church spires, belfries, cupolas, domes, water towers, flagpoles, chimneys, communication towers and elevator penthouses.

Business & Personal Services: Note—numbers shown in parenthesis are NAICS numbers. Finance & Insurance (52), Real Estate (531), Consumer Goods Rental and General Rental Centers (5322, 5323), Professional, Scientific, and Technical Services (54; includes legal services, accounting, architectural/engineering/related services, specialized design services, computer systems design, management/scientific/technical consulting, scientific research and development, advertising and public relations, marketing, photography, and other professional, scientific, and technical services), Management Companies and Enterprises (55), Administrative Support Services (561), Educational Services (61), Personal Care Services (8121), Dry Cleaning and Laundry Services (8123), Photofinishing (81292), Religious, Grantmaking, Civic, Professional, and Similar Organizations (813), fitness centers that do not include sports facilities, government offices (including post offices), general offices associated with any of the above, and related business and personal services. Any businesses that are included in the above NAICS classifications but are specifically excluded or are listed as conditional uses shall not be considered permitted uses under the “business and personal services” definition.

Bus Transfer Point/Bus Depot: A transfer point designated by Madison Metro (or its successor) or a bus depot operated by a public or private entity. This use includes a park-and-ride facility, but does not include bus stops, such as may normally be found along bus routes (bus stops may have a small accompanying bus shelter and/or benches, as is often provided at popular bus stops that are not transfer points).

Community Center: A facility run by a government or nonprofit entity, or by the Bishops Bay Owner’s Association, that provides educational services, recreational services, and/or gathering space (such as meeting or banquet rooms) to the surrounding community or neighborhood.

Community Garden: An area of land managed and maintained by a group of individuals or neighborhood association to grow and harvest food crops and/or non-food ornamental crops (such as flowers) for personal or group use, consumption or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

Community Living Arrangement: See Wis. Stat. 62.23(7)(i) and 46.03(22).

Conditional Use: A use which, because of unique or varying characteristics, cannot be properly classified as a permitted use in a particular district. After due consideration, as provided in this PDD, of the impact of such use upon neighboring land and of the public need for the particular use at a particular location, the conditional use may or may not be granted.

Crop Production: An area of land managed and maintained by an individual, group of individuals, or neighborhood association to grow and harvest food crops and/or non-food ornamental crops (such as flowers) for personal or group use, consumption, donation, or sale.

Day Care, General: Provision of custodial care for persons for remuneration for less than 24 hours a day.

Day Care, Family: Provision of custodial care within a dwelling unit for fewer than nine persons for remuneration for less than 24 hours a day.

Developed Area: All parts of a site or parcel that are not left in a natural state within a single contiguous boundary, including building footprints, parking and loading areas, driveways, internal sidewalks, patios, and outdoor activity areas. Not including land within required setbacks and natural areas on the same property that are left undisturbed.

Dwelling Unit: Sets of rooms or spaces within which sleeping, kitchen, and bathroom facilities are provided, contained within the unit, and service a single person or family who constitute the legal owners or renters of the unit. Does not include such things as hotels. Senior living (independent living, assisted living, etc.) units with common foodservice facilities are exempt from providing kitchen facilities for each unit.

Dwelling—Multi-family: A residential structure on one lot with more than four dwelling units where the majority of units have primary access via interior corridor(s) or courtyard(s). Includes: rental units, owner-occupied condominium units, age-restricted units, independent living, assisted living, and nursing home/memory care. Includes any ancillary uses that are only available to tenants/owners or their guests, such as property management offices, fitness facilities/pools, etc., that are typically found in apartment complexes, condominium complexes, or senior housing complexes.

Dwelling—Duplex, Triplex, Fourplex: A two-, three-, or four-dwelling housing structure on one lot, where each unit has a separate exterior entrance and is separated from the adjoining unit by a wall extending the full height of the building (including the basement), and there are no common areas that are part of the primary structure.

Dwelling—Single-Family Attached: A structure with more than one dwelling unit where each unit has a separate exterior entrance and is separated from the adjoining unit by a wall extending the full height of the building (including the basement), and there are no common areas that are part of the primary structure. Units may be located on the same lot, or as part of a zero lot-line development with common walls between units.

Dwelling—Single-Family Detached: A single dwelling unit on a lot or parcel surrounded on all sides by open space.

Encroachment: See the Encroachments subsection in the Lot and Building Forms section of Chapter 4.

Entertainment & Sports Facilities (indoor): Movie theaters, performing arts theaters, bowling alleys, indoor sports facilities (such as for soccer, basketball, mini-golf, volleyball, racquetball, swimming, ice skating/hockey, tennis, and other indoor sports activities), and fitness centers that include sports facilities.

Family: An individual or two or more persons related by blood, marriage, adoption or similar legal relationship, or a group of not more than two persons not so related and their children, plus domestic staff and other persons necessary for health care of a member of the family, living together as a single housekeeping unit in a single-family dwelling (attached or detached) or in one dwelling unit of a multi-family dwelling. Exceptions: Nothing in this PDD shall prohibit, under the definition of "Family," priests, laybrothers, nuns or such other collective body of persons living together in one (1) house under the same management and care, subsisting in common, and directing their attention to a common object or the promotion of their mutual interest and social happiness as set forth by the Wisconsin Supreme Court in *Missionaries of Our Lady of LaSalette v. Village of Whitefish Bay Board of Zoning Appeals*, 267 Wis. 609,

which is hereby incorporated by reference.

GIP: General Implementation Plan. See Sections 10.83-10.88 of the City of Middleton zoning ordinance for further description.

Garage: That part of a building or structure, not including carports, intended or used primarily for storing passenger vehicles, trailers, motor vehicles, motor homes, and trucks. Also includes stand-alone structures intended for the above-described uses.

Garden Plot: Growing of plants for harvesting or consumption. (Landscaping is not included in this definition, but is a permitted use in all Bishops Bay districts.)

Garage Sale: See City of Middleton ordinances, sec. 10.150. All garage sales in Bishops Bay are also subject to City of Middleton ordinance, sec. 10.22(h).

General Retail Sales: Note—numbers shown in parenthesis are NAICS numbers. Furniture and Home Furnishings Stores (442), Electronics and Appliance Stores, Building Material and Garden Equipment Stores (444), Food and Beverage Stores (445), Health and Personal Care Stores (446), Clothing and Clothing Accessories Stores (448), Sporting Goods, Hobby, Book, and Music Stores (451), General Merchandise Stores (452), Miscellaneous Store Retailers (453; includes florists, office supplies, gift/souvenir stores, used merchandise, pet supplies, and art dealers, but not tobacco stores), cell phone stores. Any businesses that are included in the above NAICS classifications but are specifically excluded or are listed as conditional uses shall not be considered permitted uses under the “general retail sales” definition.

Height: See “Building Height.”

Health Care Services: Ambulatory Health Care Services (621; including physicians offices, dentists, chiropractors, physical therapy, other health practitioners, outpatient centers, medical and diagnostic laboratories, and home health care services).

Home Occupation: An occupation or activity that is incidental to the primary residential use of a parcel or housing unit. Permits are not required to engage in such occupations or activities provided the following standards are met:

- The activity is clearly secondary and incidental;
- The activity cannot significantly alter the residential character of the dwelling unit, dwelling structure, or the parcel;
- The activity must not unreasonably interfere with residential occupancy of other parcels in the neighborhood;
- The activity must not create environmental, safety or health hazards such as noise, light, odors, vibrations, electrical emissions, or other fire or safety hazards that are noticeably out of character with those produced by normal residential occupancy.
- Traffic generated by the vocational activity may not exceed that which is customary to residential occupancies in the neighborhood;
- Signage of the vocational activity will be governed by the City of Middleton sign ordinance;
- The parcel and structure must contain adequate area to accommodate the vocational activity without interfering with residential occupancy of other parcels in the neighborhood.

Hotel/Inn: A building containing rooming units providing temporary lodging accommodations of less than

30 days duration to the general public, with rooms having access to the outside through an interior hallway connected to the main lobby of the building and which may provide additional services, such as restaurants, meeting rooms, entertainment, and recreational facilities. Includes bed and breakfasts.

Joint Zoning Committee. Also referred to as the Joint Planning Committee (JPC). Referred to in this document as "the Committee." See Section 10.96(2) of the City of Middleton zoning ordinance for further description.

Lot: See Section 10.150(25) of the City of Middleton zoning ordinance.

Lot Area: See Section 10.150(27) of the City of Middleton zoning ordinance.

Lot Depth: The mean horizontal distance between the front lot line and the rear lot line of a lot measured within the lot boundaries.

Lot Line, Front: See Section 10.150(29) of the City of Middleton zoning ordinance for detached single-family lots (G-R, V-R, M-R and GE-R). The lot lines for Co-R, Cl-R, T-R, TH-R, MF-R, MU, C, and NC may be designated by SIP.

Lot Line, Rear: See Section 10.150(30) of the City of Middleton zoning ordinance for detached single-family lots (G-R, V-R, M-R and GE-R). The lot lines for Co-R, Cl-R, T-R, TH-R, MF-R, MU, C, and NC may be designated by SIP.

Lot Line, Side: Any boundary of a lot that is not a front, rear, or side street lot line. The lot lines for Co-R, Cl-R, T-R, TH-R, MF-R, MU, C, and NC may be designated by SIP.

Lot Line, Side Street: A lot line that fronts a public road right-of-way that is not a front lot line. The lot lines for Co-R, Cl-R, T-R, TH-R, MF-R, MU, C, and NC may be designated by SIP.

Lot Width: 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. At no point may lots be narrower than the minimum lot width between the minimum front and rear setbacks. However, lots may be wider than the maximum lot width after the minimum required front setback so long as the side lot lines are straight.

Motel: A building containing rooming units providing temporary lodging accommodations to the general public, with rooms having direct access to the outside.

NAICS: North American Industry Classification System. The US Census Bureau shall be considered the official source for NAICS information. 2007 classifications were used in this ordinance, and subsequent revisions to the NAICS shall *not* be considered amendments to this document.

Offices: See "Business and Personal Services," which includes most professions that use general office space.

Outdoor Storage: Permanent storage of goods, materials, equipment or service vehicles outside of an enclosed building. Off-street parking of licensed and operable vehicles shall not be considered "outdoor storage."

PDD: Planned Development District. See Section 10.82 of the City of Middleton zoning ordinance for further description.

Parcel: See "Lot."

Parking, Structured: Parking for commercial or multi-family residential use that is under the building(s) it serves, or is located in a stand-alone multi-level parking garage or parking ramp. Does not include a garage that serves a single dwelling unit and has individual access to the outside via a garage door.

Payday Loan Business: A facility regulated under Wis. Stat. 138.14.

Permitted Use: A use which may be lawfully established in a particular district or districts, provided it conforms with all requirements and regulations of the district in which the use is located.

Principal Use: See Section 10.150(44) of the City of Middleton zoning ordinance.

Public Safety Facility: Fire station, police station, emergency medical service (EMS) station, and similar emergency services and first-responder facilities. Also including courthouses.

Restaurant: See Section 10.150(47) of the City of Middleton zoning ordinance. "Restaurant" includes all five classes, as described in Middleton ordinances.

SIP: Specific Implementation Plan. See Sections 10.89 to 10.93 of the City of Middleton zoning ordinance for further description.

School: See Section 10.37(5) of the City of Middleton zoning ordinance.

Setback: The minimum distance by which the principal building or structure must be separated from a street right-of-way or lot line.

Story: The portion of a building, other than a basement or mezzanine, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. The basement shall be counted as a story when any portion of the basement facing the front lot line or side street lot line is exposed more than 50% of the floor to ceiling height of the basement. Any part of a building that is above the second story and between the eaves and the ridge line of pitched roofs with a slope of 8:12 (33.7 degrees) or less is not a story, but may be occupied as long as the requirements for human occupancy are met.

Structure: See Section 10.150(56) of the City of Middleton zoning ordinance.

Tavern/Bar: An establishment serving alcoholic beverages under a Class B license (defined under Wis. Stat. 125.51(3)) that is open for business and/or selling alcoholic beverages at any time between 11pm and 6am on any day of the week.

Use: The purpose or activity for which the land or building thereon is occupied or maintained.

Veterinary Services: An establishment for the routine examination, medical, or surgical treatment and care of domestic animals, sometimes with overnight boarding facilities for animals in care but without kenneling of animals or outdoor runs for animals.

Yard: Open space on a lot between the principal building(s) and the adjoining lot lines.

Yard, Front: A yard extending along the full length of the front lot line between the side lot lines, or between the side lot line and side street lot line.

Yard, Rear: A yard extending along the full length of the rear lot line between the side lot lines, but not extending to a side street lot line.

Yard, Side: A yard extending along a side lot line from the front yard to the rear yard.

Yard, Side Street: A yard extending along a side street lot line from the front yard to the rear lot line.

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Appendix B:



City/Town

Staff Analysis

Memo

A staff analysis memo, dated February 4, 2011, was prepared by City of Middleton Planning Staff and Town of Westport Attorney/Administrator/Clerk/Treasurer Tom Wilson. The memo is included as an appendix to this document.

**STAFF ANALYSIS AND RECOMMENDATIONS
FOR THE COMMUNITY OF BISHOPS BAY PROJECT**

To: Middleton Plan Commission and Middleton/Westport Joint Zoning Committee members

From: City of Middleton Planning Staff and Town of Westport Attorney/Administrator/Clerk-Treasurer Tom Wilson

Date: February 4, 2011

Re: Proposed Rezoning of the Community of Bishops Bay Property

Synopsis: An application by The Community of Bishops Bay/T. Wall Properties, Middleton, WI, requesting a rezoning of lands in the Community of Bishops Bay proposed development from Agriculture Transition and A-1 Agriculture District (Exclusive), A-2 Agriculture, and C-1 Commercial to Planned Development District – General Implementation Plan (PDD-GIP), Section 10.83 of the Middleton Zoning Ordinance. Total acres included in the rezoning request: *317.74 acres in the Town of Westport and 419.49 acres in the City of Middleton. The legal descriptions and map showing the property are in Exhibit A.*

Summary:

- The rezoning request is generally consistent with approved City and Town plans, including the City's 2006 Comprehensive Plan, the Sustainable City Plan, the City's 2009 Bicycle and Pedestrian Plan, the 2000 Comprehensive Plan for the Middleton-Westport Joint Planning Area and the Town of Westport 2004 Comprehensive Plan as amended.
- The City of Middleton and the Town of Westport have collaboratively planned for this area since 1997. In the past three years the City and the Town have conducted a thorough public review process at the local level specifically regarding the project as proposed by T. Wall Properties. The review process included three public hearings on the proposed rezoning: December 14, 2010 by the Middleton Plan Commission; January 6, 2011 by the Middleton/Westport Joint Zoning Committee; and January 18, 2011 by the Middleton Common Council. This project also went through a regional water quality review process and approval beginning in July of 2009.
- Upon a rezoning to Planned Development District (PDD) – General Implementation Plan (GIP), there are additional steps which are required, including Specific Implementation Plans (SIP), platting, and City/Town/Developer Agreements at each phase, including completion of required public improvements by the applicant.
- The staff recommends approval of the rezoning request to Planned Development District (PDD) – General Implementation Plan (GIP) with the findings and conditions of approval as outlined in the attached staff report.

STAFF ANALYSIS AND RECOMMENDATIONS FOR THE COMMUNITY OF BISHOPS BAY PROJECT

Description of Project

This project is located in the Middleton/Westport Joint Planning Area. The rezoning request, from owner T. Wall Properties, is for 738 acres of land, east of CTH Q, north and west of CTH M, and primarily south of Oncken Rd. The plan includes seven different neighborhoods, with a variety of housing types and densities. The neighborhood densities range from 2 to 14.5 units per acre.

The project also includes an area of mixed use within the town center, including neighborhood scale retail and offices as well as residential units; accommodation for civic uses such as a school and/or church; and an open space network comprised of 339 acres of public and private open space, including 85 acres to be dedicated to the public. The natural features on the property include woodlands, floodplain and intermittent streams. The majority of the natural resources on the site have been included in environmental corridors.

This analysis will include a discussion of the major planning issues such as land use, transportation, natural resources, stormwater, infrastructure, and a discussion of the process to date and required actions and conditions going forward.

This staff report is based on the Master Development Plan for the Community of Bishops Bay (CBB) document submitted by T. Wall Properties, dated October 26, 2010.

Overall Planning Process for this Area

The City of Middleton and the Town of Westport have been cooperatively planning for this area for more than a dozen years. The two communities entered into a joint planning agreement, and created a Joint Zoning Committee to plan and review development proposals in the area. The two communities also approved a Comprehensive Plan for the area in 2000, and adopted extraterritorial zoning.

In the past decade, the Middleton/Westport Joint Zoning Committee (MWJZC) has reviewed two other development proposals for this property, neither of which progressed to the zoning stage.

Planning Process for the Community of Bishops Bay Project

The developer of the Community of Bishops Bay project, T. Wall Properties, first discussed submitting a development proposal for this property with the MWJZC in May of 2008. That was followed by submittal of conceptual ideas for the project in September of 2008. The project was described in the meeting minutes as a sustainable, multi-generational neighborhood with a mix of housing types; transition zones between urban and rural areas; uses compatible with adjacent uses; preservation of environmentally sensitive land; appropriate stormwater management; and linked pathways and parks.

The MWJZC further discussed the concept plan at their October and November 2008 meetings, and approved a conceptual plan, with conditions, at their February 2009 meeting.

During 2009, the master plan for the project was discussed at the following City Committee and Commission meetings:

- Plan Commission: January 27, 2009; April 14, 2009; July 14, 2009
- Public Works Committee: April 13, 2009; July 13, 2009
- Park, Recreation and Forestry Commission: June 1, 2009
- Water Resources Management Commission: April 15, 2009
- Common Council: July 21, 2009

At the July 13, July 14, and July 21 meetings listed above, the City authorized submittal of a request to the Capital Area Regional Planning Commission (CARPC) to amend the Central Urban Service Area to include the property. The Town also approved a joint request to CARPC.

During 2010, the following City and Town Committees and Commissions discussed the proposed project and master plan for the CBB development at their meetings on the listed dates:

- Middleton/Westport Joint Zoning Committee: April 28, 2010; May 26, 2010; July 14, 2010;
- City Parks, Recreation and Forestry Commission: August 16, 2010; October 4, 2010;
- City Public Works Committee: June 28, 2010; September 13, 2010;
- Middleton Plan Commission: July 27, 2010; Public Hearing on Rezoning on December 14, 2010
- Town of Westport Park Committee: November 3, 2010
- Town of Westport Public Works Committee: November 18, 2010
- Joint meeting of the Middleton Common Council, Plan Commission, Public Works Committee and Westport Town Board, Public Works Committee and Plan Commission: Public Informational Meeting on the Traffic Impact Analysis, December 1, 2010
- Water Resources Management Commission: December 15, 2010

MAJOR ISSUES/COMPONENTS OF THE DEVELOPMENT

Transportation Related Elements, including the Traffic Impact Analysis (TIA)

This section provides an analysis of the transportation-related elements of the project.

Bicycle and Pedestrian Circulation

The developer has worked closely with City, Town of Westport, and Dane County Parks staff to develop the plans for the on-street path and off-street trail network. The Community of Bishops Bay (CBB) plan is consistent with all the **general policies** of the City of Middleton's 2009 Bicycle and Pedestrian Plan (BPP). It addresses well the following policies in particular:

- Link major activity centers and trip generators such as schools, libraries, parks, employment centers, and shopping areas through a comprehensive bikeway and sidewalk network.
- Continue planning for a land use pattern in Middleton that is supportive of bicycle and pedestrian system usage and allows residents to live, work, shop and engage in recreational and civic opportunities within a 15 minute walk (half a mile) of their homes.
- Locate off-street bicycle and pedestrian facilities in unique and aesthetically pleasing locations in order to attract a wide variety of residents and users.

From a systems connectivity standpoint, the plan is fully consistent with the BPP Section 3.2.4, Future Trails in Middleton's Growth Areas. In fact, the Community of Bishops Bay development will implement a key regional trail corridor, as shown in Maps 5 and 7 of the CBB plan and described in the BPP as follows:

As envisioned in Dane County's [2006-2011 Parks & Open Space Plan](#), the "North Mendota Trail" will link Middleton's trail system with Governor Nelson State Park and the Schumacher Farm near Waunakee. From its connections with the Misty Valley Trail at High Road and the north segment of the Conservancy Loop west of Frederick's Hill, the North Mendota Trail will extend east along the northern edge of the Northlake subdivision before crossing Highway Q (ideally via an overpass due to traffic volumes and topography) and heading into the planned Community of Bishops Bay development. Ideally, the trail will be constructed within a wide natural corridor to buffer trail users and adjacent residents from one another. For the most part, the plan map depicts the route that is preferred by the developer as of July 2009. However, near the eastern end of the Bishops Bay development, the map identifies a more direct route to the CTH M underpass that was constructed by Dane County in 2005 in anticipation of future construction of the North Mendota Trail.

Based on public feedback provided during the planning process, this plan calls for the North Mendota Trail to extend farther west than previously planned in order to connect with the Misty Valley Trail at the High/Caneel intersection. The purpose for this connection is to maintain a continuously paved trail connecting western Middleton with Governor Nelson State Park. From a regional perspective, the North Mendota Trail will

function similarly as the Capital City Trail does on the south side of the Madison metropolitan area. Trail users desiring a paved surface would be able to use the North Mendota, Misty Valley, and Highway 12 Trails in order to travel between the state park and the “trailhead junction” near the confluence of the north and south forks of the Pheasant Branch Creek (between Deming Way and the Beltline). The Pheasant Branch Trail also provides a connection for people traveling between these locations, but about half of that route is envisioned to remain unpaved.

This key trail corridor will be routed through the heart of the CBB development, meaning that virtually every parcel will be located within ¼ mile of a paved, off-street trail. In addition, Map 7 (page 73) in the CBB plan illustrates the anticipated location for various other, more minor trails that will consist of non-paved surfaces, thereby providing residents and visitors with a variety of trail experiences. A condition of approval of the CBB project should require that all paved trails be a minimum of 10’ wide as is stated in the BPP, not a range of 8-10’ as is indicated on page 72 of the CBB plan.

Dane County officials are currently in the process of updating their Parks & Open Space Plan and City and Town staff are actively monitoring this process to ensure continued compatibility with the CBB neighborhood. In December, City staff met with Westport officials, County Parks staff, and the developer to discuss trail linkages between Bishops Bay and points to the north and east for the purpose of ensuring that the trails planned within the development are able to connect directly with trails planned on adjoining lands. In response to staff feedback, the plan now indicates an easterly extension of a paved trail into the undeveloped quarter section at the northeast so as to provide a direct route to the existing box-culvert underpass of Highway M. At its western end, the development raises the question of how the North Mendota Trail will cross Highway Q. The BPP anticipates that a bicycle & pedestrian bridge will traverse this busy road in the future.

In terms of **on-street accommodations**, the major Bishops Bay Boulevard will have 5’ bike lanes as is consistent with City standards for locating bike lanes along collector and arterial roadways. No other street will have dedicated bike lanes, but that is acceptable for lower traffic volume streets. With the exception of the rural residential streets, sidewalks at least 5’ in width will adjoin all development streets, and bump-outs may be provided in areas with on-street parking. While the City has had mixed experience with bump-outs due to snow removal / street maintenance concerns, Planning staff supports their use so as to improve pedestrian safety and/or comfort. The street cross-sections illustrated and described on pages 78-87 of the CBB plan are excellent and include numerous images of comparable streets that exist in Middleton (both downtown and in Middleton Hills neighborhood).

As is stated in the Traffic Impact Analysis, bicycle and pedestrian facilities (including trails) should be constructed concurrently with each development phase so that the facilities are in place before residents move into the neighborhood.

Transit

The City of Middleton and Town of Westport anticipate that there will be an opportunity to expand bus service into this area, consistent with the City of Middleton's Comprehensive Plan, previous Town and joint planning efforts, and regional planning initiatives. The development is well situated and designed to accommodate a bus route extending around the lake, connecting Middleton with the Town of Westport's center and Northport Avenue in Madison, as well as a connection with Waunakee. A new route serving the CBB area could actually help alleviate to some degree the inefficient "back-tracking" that currently occurs with Route 70 and 72 service to the Orchid Heights neighborhood.

Buses can be easily accommodated along several of the streets that extend through the CBB neighborhood, allowing nearly all residents and visitors to be located within a few blocks (a 5 minute walk) of transit service. The Traffic Impact Analysis anticipates that bus service will be limited to Bishops Bay Boulevard and exterior roads, but Commercial Street 1 and Residential 1 cross sections also seem particularly well suited for bus service given their planned design and location. Staff supports the recommendations in the TIA for adding bus pull-out areas and amenities such as shelters, particularly at stops adjoining the commercial center.

Street Network and Traffic Impact Analysis (TIA)

Dane County and the communities of Middleton, Springfield, Waunakee, and Westport have determined that the future North Mendota Parkway will remain north of the development site, north of Dorn Creek. Other regional roads (Highways Q and M) would require intersection improvements, but no additional travel lanes.

Within the development, the planned alley system is similar to the alleys found in the Middleton Hills and Hidden Oaks neighborhoods. The Plan calls for driveways to have at least 3' setbacks, whereas the City's zoning code requires a 2' minimum.

The Traffic Impact Analysis undertaken by SRF Consulting on behalf of the City (at the developer's expense) contains recommendations for each of the roads and intersections adjoining the planned development as well as for numerous intersections away from the site, particularly along the Century Avenue corridor. Findings and recommendations that are of particular interest:

- The construction of the North Mendota Parkway and Belle Fontaine Blvd. would help accommodate the regional increase in traffic volumes, with or without the Bishops Bay development, and provide some relief to the Century Avenue corridor and at the University / Allen Blvd. intersection.
- Although the proposed development does impact several intersections (e.g., Highways K & M, Century Ave. & Allen Blvd.), it does not materially affect the level of service at several other key intersections, including Century Ave. / Highway Q and Highways K & Q.

- The TIA identifies various alternatives for addressing congestion near the Century / Allen intersection (including restricting access for the north approach used by CVS and the Middleton Shores apartment community), supplementing the recommendations in the City's 2006 Transportation Network Plan.
- Oncken Road can continue to exist as a two-lane roadway with fairly minimal changes.
- Because some of the proposed cul-de-sacs are long in length (over a quarter-mile), their lengths should be verified so that they do not exceed local regulations for emergency vehicle access to adequately serve residential homes in an emergency situation.

According to the TIA, through traffic on Century Avenue "should continue to function at acceptable levels of service and will have little operational impact from the development. The addition of Belle Fontaine Boulevard and North Mendota Parkway will provide alternatives to the region's reliance on Century Avenue as a primary east-west connection through Middleton. Over time, some cross-street movements will experience decreasing levels of service with or without the addition of Bishops Bay traffic."

Natural Resources and Stormwater Management Elements

As described by the Capital Area Regional Planning Commission (CARPC) staff, this project is within the Yahara-Mendota Watershed in the Lower Rock River Basin, and the project area is less than 1% of the total Lake Mendota watershed area. The majority of the property is within the Dorn Creek subwatershed, and the project area is less than 9% of the subwatershed.

The CARPC and their staff, in approving the Urban Service Amendment for this property, noted that the existing stormwater ordinances in the City of Middleton and the Town of Westport include performance standards that are more stringent than the State and the County in some areas. In order to fully mitigate the impact of development, this project is required to meet an even higher performance standard of maintaining predevelopment runoff volumes and groundwater recharge rates with no cap on infiltration areas. These higher standards are to protect and restore the natural resources in the area.

Specifically, the entire project is required to:

- Provide at least 80% sediment control in accordance with existing ordinances.
- Control peak rates of runoff for the 1, 2, 5, 10, 25 and 100-year 24-hour design storm to pre-settlement levels as required by the City's Stormwater Ordinance.
- Control the increase in runoff volume for the 100-year 24-hour design storm as required by the Town's Stormwater Ordinance.
- Control post development runoff volumes to be equal to or less than pre-development runoff volumes for the one-year average rainfall period, as well as the five year average rainfall period.
- Maintain WGNHS pre-development groundwater recharge rates (9 to 11 inches per year) with no caps on the extent of infiltration areas.

- Provide deep tilling to restore all areas compacted during construction.

The Wisconsin Department of Natural Resources conducted a Voluntary Endangered Resources Review at the request of the applicant. While no endangered resources were known to be present on the site, the WDNR recommended actions that are warranted to comply with state and federal endangered species laws. The applicant shall comply with all applicable state and federal endangered species laws.

The project has been designed to minimize grading on the site and preserve the natural features of the property. The property's primary ridgeline and many of the woodland areas and viewsheds are planned to be public.

The project is generally consistent with the goals, objectives and policies in the City's 2006 Comprehensive Plan element for agricultural, natural and cultural resources. The one area that could be considered a potential conflict is in the objective which states "*Limit development zoning and cooperative land use plans to areas that are not prime farmland.*" However, the goal for that section reads "*Outside of the City's projected growth areas, limit the loss of agricultural land, and preserve its value for agricultural use in the future.*" As stated earlier, the City and the Town have been cooperatively planning for this area for years, and the City's planning efforts, including the 2006 Comprehensive Plan, delineate the project area as a growth area for the City. An excerpt of pertinent goals, objectives and policies from the 2006 plan can be found in Exhibit B.

Land Use

As described earlier in this report, the proposed project includes seven different neighborhoods, with a variety of housing types and densities. The neighborhood densities range from 2 to 14.5 units per acre. The project also includes an area of mixed use within the town center, including neighborhood scale retail and offices as well as residential units; accommodation for civic uses such as a school and/or church; and an open space network comprised of 339 acres of public and private open space, including 85 acres to be dedicated to the public. As designed, the project generally meets the goals, objectives and policies of the Land Use element of the City's 2006 Comprehensive Plan. The primary residential goal from the plan is "Allow for flexibility in residential development and to promote affordable quality housing, a range of housing options, and a suitable living environment for all residents." The CBB plan provides a wide range of housing options and mixed uses, civic, and a large percentage of open space. An excerpt of goals from the 2006 plan and other applicable plans can be found in Exhibit B.

Utilities

The CBB project will provide the full range of utility services for the development. The exact configurations of both the sanitary sewer service and the water service is still under discussion and design, however, what is known is that there are several options for both, and that the developer will pay the costs of serving the development. These specifics will need to be

determined prior to the first phase of the development, to incorporate the details into the City/Town/Developer Agreement.

Summary of Comments From the Public Hearings held on the Rezoning

The Middleton Plan Commission held a public hearing on the proposed rezoning on December 14, 2010, at which 16 people spoke, with 15 people speaking in opposition to the project and 1 person speaking in support. Some of the reasons given by those in opposition were concerns about: traffic; costs to taxpayers, including city services and infrastructure; stormwater; environment; wetland impacts; groundwater; and that not enough is known about the development impacts at this time.

On January 6, 2011, the Middleton/Westport Joint Zoning Committee held a public hearing, and 5 people spoke in opposition, with the concerns as listed above.

On January 18, 2011, the Middleton Common Council held a public hearing, and 3 people spoke in opposition with the concerns as listed above. Two of the people speaking also urged that the development be phased from west to east.

Findings:

The proposed project is a well planned, well integrated development that will accommodate a wide range of housing needs, protect and enhance the environment, and integrate multi-modal transportation options. In the City portion of the project there will be a higher density, more compact urban development, and the project provides for transition zones to the more rural areas and the clustered housing in the Town. The land uses as proposed respect the physical attributes of the site and preserve natural features. The project will produce an attractive environment of sustained aesthetic desirability and functional practicality compatible with development prospects for the area. The project has been anticipated in the planning for school and municipal services, and with the improvements as described in the Traffic Impact Analysis, will not create a traffic demand incompatible with existing or planned facilities.

Recommendation and Conditions of Approval

The Middleton/Westport Joint Zoning Committee and the Middleton Plan Commission recommend to the Common Council and the Town Board that the land described in Exhibit A be rezoned from Agriculture Transition, A-1 Agriculture District (Exclusive), A-2 Agriculture, and C-1 Commercial to Planned Development District – General Implementation Plan (PDD-GIP), Section 10.83 of the Middleton Zoning Ordinance, contingent on the following:

1. All provisions of the CARPC resolution of approval dated February 11, 2010 must be met.
2. All appropriate parkland dedication or fees in lieu of dedication requirements must be satisfied for each phase of the development at the time the City/Town/Developer Agreement for that phase is signed, or in the case of dedication, at the time of plat approval. The applicant shall develop all trails with a dedicated landscape buffer and fencing identification at intersections of trails and public streets and ancillary uses with appropriate and consistent

trail signage. For the entire project, all trails shall be completely constructed and marked for each phase prior to construction commencing on any structures for each phase.

3. The applicant shall be responsible for the implementation of the development specific traffic improvements recommended by the Traffic Impact Assessment in accordance with the City/Town/Developer Agreement that will be required for each phase of the development.
4. The applicant at its cost shall provide the Town and City a written tree inventory and report indicating which trees will be preserved and which trees will be removed as acceptable to the Town Administrator and City Planner prior to any tree removal or construction commencing for each phase.
5. The applicant shall develop the property in the City and Town as shown on the map attached here in Exhibit A and an agreement among and between the City, Town and Petitioner shall be properly executed to provide for this long term boundary and development scenario.
6. A Development Agreement between and among the Town, City and applicant, in a form acceptable to the Town and City Attorneys, which shall require the applicant to pay Engineer and Attorney review fees. Fees for any and all reviews are to be paid to the Town or City as appropriate prior to the Town or City's plat approval signature.
7. Contracts entered into by the Town, City and Petitioner for all public improvements shall be reviewed and approved by the Town and City Attorneys and Town and City Engineers as appropriate or controlling.
8. Satisfaction of all conditions as specified by City and Town Committees and Commissions specifically related to revisions of the Master Plan document.
9. Park improvements and trails as shown in the application materials, and to include another crossing of Oncken Road as agreed by the City and Town for more direct commuter bicycle route, and for the off road trail along Oncken Road to be moved behind the current residences on the South side of that roadway.
10. Stormwater drainage and erosion control plans to be approved by the Dane County Land Conservation Department, Town Engineer and City Staff.
11. A letter of credit for contemplated road, sewer, water, stormwater detention/retention, and other required public improvements shall be required in amounts approved by the Town or City Engineer, as appropriate, and in a form approved by the Town or City Attorney, as appropriate for each phase of development.
12. The appropriate parts of the property comprising the Proposal shall be added to the Town Water and/or Sewer Utility Districts as appropriate.

13. The City and Town Engineers as appropriate shall review and approve plans and specifications for technical compliance and for road construction and design.
14. Gradation of roadways shall be approved by the City or Town Engineers as appropriate after review and approval by the City Public Works Department or the Town's road maintenance staff, as appropriate.
15. The applicant shall provide for further road right of way dedication in the amount of at least 7 feet for the entire length of Oncken Road which abuts the applicants' holdings, and on each side which so abuts.
16. Restrictions on traffic or access as appropriate during construction.
17. Street signs, street lighting, and street trees as appropriate.
18. Sidewalk improvements where necessary, and any other required public improvements.
19. Sanitary sewerage disposal facilities or other sewer utility improvements approved by the Town or City Engineer, as appropriate.
20. Water supply facilities or other water utility improvements approved by the Town or City Engineer, as appropriate.
21. Necessary approvals or permits from all applicable authorities for water and sewer facilities.
22. Partition fences for lands abutting or adjacent to land used for farming or grazing purposes, and a covenant regarding maintenance of such fences pursuant to section 10-2-63 of the Westport Code of Ordinances approved by the Town Attorney;
23. Review by Town and City maintenance departments as to the provision of Town and City services to be provided to the property and a written report regarding the same shall be provided to the appropriate governing body, and which shall become conditions of approval as if set forth herein.
24. Dedications, notations or other information which should be added to the face of the Plat or Zoning document.
25. All special assessments and fees shall be paid, including any Westport Sewer Utility area charges and MMSD charges.
26. Restrictive Covenants and Deed restrictions relating to subsequent development, use or division of land as required shall be submitted for review and approval by City Planning and Zoning Staff and the Town Attorney.

27. The applicant shall submit development design guidelines and criteria, building volume and envelope sizes, and material pallet recommendations to the JZC or City Plan Commission as appropriate for approval prior to any building construction taking place on the property, other than single and two family homes, which shall be included in the covenants and restrictions for the property. The City, Town and applicant will review and agree on the appropriate lot coverage percentage for the various neighborhoods.
28. The applicant shall provide a planting plan and maintenance plan for the open space, drainage, park, trail and other public areas, which plans shall be approved by the City and by the Town Administrator prior to planting, and which areas shall be constructed by the applicant, and then maintained until the appropriate plantings will maintain themselves, or no less than 5 years after the development of the particular phase in which the plantings are located commences.
29. Deep or sub-surface tillage shall be utilized for landscaping of all lots in the property to be done as the last construction step on each lot and prior to lawn planting, with the use of appropriate compost where necessary, in order to provide for maximum stormwater infiltration in the property, plans for which shall be submitted by the applicant for review and approval by the City and by the Town Administrator as appropriate prior to construction commencement on the property.
30. The applicant shall submit for approval by the JZC or City Plan Commission as appropriate a public improvement materials pallet that includes fencing, pedestrian and vehicular safety and decorative lighting, landscaping/terracing and appropriate nodes of activity and public gathering to encourage a sense of place within the neighborhoods for each phase.
31. The JZC or City Plan Commission as appropriate shall review and make recommendations on any rezoning, annexation, preliminary plat, final plat, or other development procedure, for each phase of development, prior to review and approval by the City and/or Town.
32. The applicant shall provide to the Town and City a recorded copy of the final plat and/or recorded zoning documents.

EXHIBIT A – LEGAL DESCRIPTION AND MAP

Located in part of the SE ¼ and SW ¼ of the SW ¼ of Section 29, and also part of the SW ¼ and SE ¼ of the SE ¼ of Section 30, and also part of the NE ¼, NW ¼, SW ¼ and SE ¼ of the NE ¼ of Section 31, and also part of the NE ¼, NW ¼ and SW ¼ of the SE ¼ of Section 31, and also part of the NE ¼, NW ¼, SW ¼ and SE ¼ of the NW ¼ of Section 32, all in Township 8 North, Range 9 East, in the Town of Westport, Dane County, Wisconsin, described as follows:

Commencing at the south quarter corner of said Section 31;

thence N 00°22'14" W, 1263.57 feet along the north-south quarter line of said Section 31 to the intersection with the westerly extension of a southerly line of Lot 1 of Certified Survey Map Number 5690 and the point of beginning;

thence N 89°54'30" W, 81.02 feet along the said westerly extension of a southerly line of Lot 1 of Certified Survey Map Number 5690;

thence N 00°24'43" W, 1053.21 feet along the east line of the plat of the First Addition to Northlake and the west right-of-way of County Trunk Highway "Q";

thence N 00°00'57" W, 334.16 feet along the said east line of the plat of the First Addition to Northlake and the west right-of-way of County Trunk Highway "Q";

thence S 89°55'00" E, 160.00 feet along the east-west quarter line of said Section 31;

thence N 00°16'00" E, 10.65 feet along the east right-of-way of County Trunk Highway "Q";

thence S 89°57'36" E, 591.85 feet along the south line of Lot 1, Dane County Certified Survey Map Number 2833;

thence N 00°21'32" W, 776.84 feet along the east line of said Lot 1, Dane County Certified Survey Map Number 2833;

thence S 80°12'45" W, 612.77 feet along the northerly line of said Lot 1, Dane County Certified Survey Map Number 2833;

thence N 00°16'00" E, 653.04 feet along said east right-of-way of County Trunk Highway "Q";

thence S 89°35'42" E, 10.00 feet along said east right-of-way of County Trunk Highway "Q" and north line of the said SW ¼ of the NE ¼ of said Section 31;

thence N 00°16'00" E, 220.43 feet along said east right-of-way of County Trunk Highway "Q";

thence N 89°39'19" E, 166.24 feet along the south line of lands described in Document No. 4372173;

thence N 00°20'41" W, 171.59 feet along the east line of said lands described in Document No. 4372173;

thence S 89°39'19" W, 174.41 feet along the north line of said lands described in Document No. 4372173;

thence N 00°16'00" E, 36.60 feet along said east right-of-way of County Trunk Highway "Q";

thence S 89°44'00" E, 10.00 feet along said east right-of-way of County Trunk Highway "Q";

thence N 00°16'00" E, 700.35 feet along said east right-of-way of County Trunk Highway "Q";

thence N 89°44'00" W, 5.00 feet along said east right-of-way of County Trunk Highway "Q";

thence N 00°16'00" E, 208.16 feet along said east right-of-way of County Trunk Highway "Q";

thence N 00°07'45" W, 1322.70 feet along said east right-of-way of County Trunk Highway "Q";

thence S 89°32'59" E, 2571.11 feet along the north lines of the said SW ¼ and the SE ¼ of the SE ¼ of said Section 30;

thence S 00°12'27" E, 1336.33 feet along the east line of the said SE ¼ of the SE ¼ of Section 30 to the southeast corner of said Section 30;

thence N 89°56'30" E, 661.11 feet along the south line of the said SW ¼ of the SW ¼ of Section 29;

thence N 00°15'06" W, 1334.46 feet along the west line of the East ½ of the said SW ¼ of the SW ¼ of said Section 29 and the east line of Dane County Certified Survey Map Number 8167;

thence S 89°53'45" E, 1974.47 feet along the north lines of the said SW ¼ and SE ¼ of the SW ¼ of Section 29;

thence S 00°38'05" E, 1225.00 feet along the east line of the said SE ¼ of the SW ¼ of Section 29 to a point lying N 00°38'05" W, 103.92 feet from the south quarter corner of said Section 29;

thence S 49°20'47" W, 768.00 feet;

thence S 70°38'46" W, 462.00 feet;

thence S 31°59'41" E, 455.00 feet;

thence S 64°44'36" E, 365.00 feet;

thence S 00°00'00" E, 335.00 feet to the intersection with lands described in Document No. 3859418, hereinafter referred to as "BBCC Lands";

thence N 64°12'22" W, 275.00 feet along said "BBCC Lands";

thence S 64°29'35" W, 483.59 feet along said "BBCC Lands";

thence N 46°31'08" W, 236.24 feet along said "BBCC Lands";

thence N 35°11'59" W, 594.00 feet along said "BBCC Lands";

thence S 44°31'43" W, 486.55 feet along said "BBCC Lands";

thence S 44°38'37" E, 47.00 feet along said "BBCC Lands";

thence S 45°32'36" W, 50.15 feet along said "BBCC Lands";

thence S 27°09'40" W, 78.89 feet along said "BBCC Lands";

thence S 02°46'56" E, 563.98 feet along said "BBCC Lands";

thence S 23°26'36" E, 201.56 feet along said "BBCC Lands";

thence S 04°34'56" E, 118.41 feet along said "BBCC Lands";

thence S 27°39'47" E, 198.62 feet along said "BBCC Lands";

thence S 85°18'23" W, 612.24 feet along said "BBCC Lands";

thence S 71°41'22" W, 58.31 feet along said "BBCC Lands";

thence S 58°04'21" W, 606.77 feet along said "BBCC Lands";

thence S 79°00'24" W, 247.77 feet along said "BBCC Lands";

thence S 73°28'21" W, 382.80 feet along said "BBCC Lands";

thence S 71°45'04" W, 244.91 feet along said "BBCC Lands";

thence S 55°40'21" W, 185.72 feet along said "BBCC Lands";

thence S 47°18'59" W, 209.01 feet along said "BBCC Lands";

thence S 00°23'42" E, 701.69 feet along said "BBCC Lands" to the intersection with the north line of said Dane County Certified Survey Map Number 5690;

thence S 89°54'30" E, 13.39 feet along the said north line of Dane County Certified Survey Map Number 5690;

thence S 00°25'46" E, 629.65 feet along the east line of said Dane County Certified Survey Map Number 5690;

thence N 89°53'57" W, 583.11 feet along the south line of Said Dane County Certified Survey Map Number 5690;

thence N 00°24'01" W, 277.53 feet along the west line of Lot 2 of said Certified Survey Map Number 5690;

thence S 89°39'51" W, 328.90 feet along the south line of Lot 1 of said Certified Survey Map Number 5690;

thence N 00°22'53" W, 288.48 feet along a westerly side of said Lot 1 of said Certified Survey Map Number 5690;

thence N 89°54'30" W, 245.70 feet along the said southerly side of said Lot 1 of Certified Survey Map Number 5690 and its westerly extension to the point of beginning. Containing 419.49 acres, more or less

Located in part of the NW 1/4 and SW 1/4 of the SE 1/4 and also part of the SE 1/4 of the SW 1/4 of Section 29, part of the NE 1/4 and SE 1/4 of the SE 1/4 of Section 31, part of the NE 1/4, NW 1/4, SW 1/4 and SE 1/4 of the NE 1/4 and also the NE 1/4, SW 1/4 and SE 1/4 of the NW 1/4 and also the NW 1/4 and NE 1/4 of the SW 1/4 of Section 32, all in Township 8 North, Range 9 East, in the Town of Westport, Dane County, Wisconsin, described as follows:

Commencing at the south quarter corner of said Section 29;

thence N 00°38'05" W, 103.92 feet along the west line of the said SW 1/4 of the SE 1/4 of Section 29 to the point of beginning;

thence continuing N 00°38'05" W, 2553.92 feet along the west line of the said SE 1/4 of Section 29 to the northwest corner thereof;

thence S 89°43'55" E, 1323.94 feet along the north line of the said NW 1/4 of the SE 1/4 of Section 29 to the northeast corner thereof;

thence S 00°35'59" E, 2650.28 feet along the east lines of the said NW 1/4 and SW 1/4 of the SE 1/4 of Section 29 to the southeast corner of the said SW 1/4 of the SE 1/4 of Section 29;

thence N 89°56'30" E, 1242.58 feet along the North line of the said NE 1/4 of the NE 1/4 of Section 32;

thence S 00°07'17" W, 1065.63 feet along the Westerly right-of-way of County Trunk Highway "M";

thence N 89°52'43" W, 20.00 feet along the Westerly right-of-way of County Trunk Highway "M"; thence S 00°07'17" W, 336.34 feet along the Westerly right-of-way of County Trunk Highway "M"; thence S 00°07'01" E, 263.95 feet along the Westerly right-of-way of County Trunk Highway "M"; thence N 89°52'59" E, 20.00 feet along the Westerly right-of-way of County Trunk Highway "M"; thence S 00°07'01" E, 983.99 feet along the Westerly right-of-way of County Trunk Highway "M";

thence N 89°58'53" W, 2566.95 feet along south line of the said NE 1/4 of Section 32 to the southeast corner thereof;

thence S 00°03'21" W, 1320.00 feet along the East line of the said NE 1/4 of the SW 1/4 of Section 32 to the Southeast corner thereof;

thence S 89°53'33" W, 1315.14 feet along the South line of the said NE 1/4 of the SW 1/4 of Section 32 to the Southwest corner thereof; thence N 00°11'00" W, 297.48 feet along the East line of the said NW 1/4 of the SW 1/4 of Section 32;

thence S 89°10'48" W, 652.23 feet along the North line of Dane County Certified Survey Map Number 9203;

thence N 00°16'32" W, 354.03 feet along the East line of Dane County Certified Survey Map Number 7695;

thence S 89°08'03" W, 665.06 feet along the North line of said Dane County Certified Survey Map Number 7695;

thence S 00°25'17" E, 1050.06 feet along the East line of the said SE 1/4 of Section 31;

thence S 89°08'00" W, 378.02 feet along the North line of Emslie Plat and Dane County Certified Survey Map Number 10316;

thence S 89°44'34" W, 541.92 feet along the North line of said Dane County Certified Survey Map Number 10316;

thence N 00°35'47" W, 124.96 feet along the exterior of lands described in Document No. 3859418 hereinafter referred to as "BBCC Lands";

thence S 77°35'21" E, 274.03 feet along said "BBCC Lands";

thence N 89°14'21" E, 287.71 feet along said "BBCC Lands";

thence N 16°26'48" E, 663.58 feet along said "BBCC Lands";

thence N 10°29'22" W, 212.33 feet along said "BBCC Lands";

thence N 19°17'01" E, 149.03 feet along said "BBCC Lands";

thence N 53°56'13" E, 114.49 feet along said "BBCC Lands";

thence N 89°29'32" E, 880.50 feet along said "BBCC Lands";

thence S 26°42'14" E, 250.39 feet along said "BBCC Lands";
thence S 84°15'52" E, 313.58 feet along said "BBCC Lands";
thence N 74°14'27" E, 313.08 feet along said "BBCC Lands";
thence N 49°06'38" E, 845.62 feet along said "BBCC Lands";
thence N 08°53'13" E, 776.41 feet along said "BBCC Lands";
thence N 59°58'36" W, 303.59 feet along said "BBCC Lands";
thence S 50°00'24" W, 157.66 feet along said "BBCC Lands";
thence S 07°51'09" W, 702.00 feet along said "BBCC Lands";
thence S 54°50'48" W, 269.55 feet along said "BBCC Lands";
thence S 88°06'30" W, 269.45 feet along said "BBCC Lands";
thence N 01°07'16" W, 1006.91 feet along said "BBCC Lands";
thence N 76°06'29" E, 580.00 feet along said "BBCC Lands";
thence S 79°34'29" E, 260.00 feet along said "BBCC Lands";
thence S 22°40'59" W, 100.74 feet along said "BBCC Lands";
thence S 59°58'34" E, 199.47 feet along said "BBCC Lands";
thence N 64°41'07" E, 300.91 feet along said "BBCC Lands";
thence N 56°26'37" E, 100.08 feet along said "BBCC Lands";
thence N 39°16'28" E, 139.20 feet along said "BBCC Lands";
thence N 53°50'35" W, 245.92 feet along said "BBCC Lands";
thence N 64°12'22" W, 351.75 feet along said "BBCC Lands";
thence N 00°00'00" W, 335.00 feet;
thence N 64°44'36"W, 365.00 feet;
thence N 31°59'41"W, 455.00 feet;
thence N 70°38'46"E, 462.00 feet;
thence N 49°20'47"E, 768.00 feet to the point of beginning;
Containing 317.74 acres, more or less.



Exhibit B – Excerpt of Goals, Objectives and Policies from City Plans

Provisions from the City’s 2006 Comprehensive Plan:

The overall goal of the community is to enhance and protect the high quality of life in the City of Middleton by utilizing the following criteria and standards:

- *preserve and protect neighborhoods;*
- *protect and enhance the environment;*
- *provide efficient and effective public services;*
- *integrate multi-modal transportation opportunities;*
- *facilitate sustainable growth and development;*
- *promote compact urban form to create a safe, livable environment for all current and future residents.*

Housing:

Expand housing opportunities and allow for flexibility in residential development and promote affordable quality housing, a range of housing options, and a suitable living environment for all residents.

Encourage use of Planned Development Districts (PDD) and other planning mechanisms to accommodate a range and mixture of housing options in each neighborhood. The use of PDD zoning can facilitate a mix of housing types within a single neighborhood.

Support efforts to provide housing opportunities for senior citizens, with access to appropriate services including transit alternatives, shopping, medical care and recreation. Housing for senior citizens located near necessary service areas can increase their access to these services, which in turn can help provide flexibility in their housing choices.

Support design of residential neighborhoods with mixed land use at a scale appropriate to residential development and with convenient access to a neighborhood shopping area or to larger commercial areas. Residential development located near commercial areas or commercial uses in a residential neighborhood helps meet day-to-day needs of residents.

Encourage innovative neighborhood design and provision of housing through a variety of tools, including PDD, and clustered residential development.

Recognize the value of the principles incorporated into traditional neighborhood design and develop a traditional neighborhood development ordinance or continue to utilize the Planned Development District (PDD) process as a tool to encourage traditional neighborhood design and development.

Provide for appropriate park and open space opportunities for residential areas in accordance with the Park and Open Space Plan.

Promote infrastructure and amenities that are user friendly and residential development that includes a sense of connectivity in sidewalks, streetscape, and trails. The design should be conducive for public use.

Encourage the development of housing:

To meet the needs of all the people who work in Middleton, so that they can have good housing choices closer to their jobs.

For people who would like to join the workforce, so that they have a stable, affordable base on which to build their working lives.

Assure that new growth is balanced, and encourage the development of both rental and ownership housing for a range of incomes, for people with different life situations and cultural and ethnic backgrounds, for people with disabilities, for single people with very low incomes, and for the homeless.

Transportation:

Develop and maintain a network of roads and streets.

Plan transportation systems in a long-term, comprehensive manner instead of relying on short-term solutions.

Create safe and convenient bicycle routes serving both commuters and recreational riders.

Consider the potential land use implications of transportation investment decisions, as well as the impacts of land development proposals on the existing and planned transportation network.

Mitigate environmental, economic and traffic consequences of improvements to the transportation system, including the potential development of a North Mendota Parkway.

Take advantage of existing land features in future transportation planning.

Include an analysis of traffic impacts with all new development.

Transportation planning should be multi-modal, not just auto-oriented.

Promote the development of well-designed, compact, mixed-use neighborhoods which provide a range of services, thereby lessening the need for trips by automobile to meet daily needs.

Manage the transportation system to address traffic volumes, safety, and congestion.

Utilities and Community Facilities:

Coordinate efficient and cost-effective delivery and access of high quality and safe public services with orderly development options, to ensure a compact, well designed community.

Promote orderly extension of public service areas, while seeking to preserve the existing community character and maintaining the ability to expand residential housing.

Strive to provide Middleton's residents with access to education, health and recreation services and opportunities to help promote active lifestyles, and physical and mental health.

Maintain and develop community utilities and facilities that ensure the protection and conservation of the natural environment.

Require all development within the Urban Service Area (USA) to meet urban service standards and to be served by public sewer and water.

Encourage the staged expansion and extension of services within the Urban Service Area. Prohibit new development in areas that are premature in terms of planning and timing for the provision of adequate municipal services. Extend water and sewer service concurrently.

Prohibit urban services in floodplain areas and other environmentally sensitive areas. Design and locate urban service facilities that respect natural features and physical conditions, and take all practical steps to minimize disturbances of natural resources caused by construction of such facilities.

Monitor and update when necessary a Storm Water Management Plan that seeks to limit the quantity of run-off from new and existing developments, limit local flooding, mitigate the potential for damage done by local and regional flooding, reduce the amount of sediments and pollutants carried by storm water, limit the erosion from storm water runoff and increase groundwater recharge through infiltration in appropriate areas.

Parks, Recreation and Conservancy:

Maintain an adequate amount of active and passive recreational lands to meet current and future recreational needs, focusing on the special needs of all residents, especially the elderly and disabled.

Work with similar bodies from neighboring cities, towns and the county to ensure that the goals and objectives of the Parks and Open Space and Conservancy Lands plans are achieved.

Continue the City policy that requires developers to dedicate new parkland and/or pay park development fees according to a formula that is adjusted on an annual basis.

Agricultural, Natural and Cultural Resources:

Provide park areas and recreation facilities in all neighborhoods of the City.

Continue to plan for and provide pedestrian and bicycle trails throughout the City, for both recreational and commuter purposes.

Acquire for public use or preserve by other means lands that are environmentally sensitive, lands with access to water, and lands with historically significant areas. Environmentally sensitive lands include floodplain, wetlands, steep slopes, and wooded areas.

Recognize that public open space includes land for intensive and passive recreation activities and conservancy areas.

Guide design, development and site selection of all types of development to minimize potential adverse impacts on the integrity of land and quality of ground and surface waters.

Ensure that open space, recreation facilities and programs are designed to meet the special needs of all residents, especially the elderly and disabled.

Outside of the City's projected growth areas, limit the loss of agricultural land, and preserve its value for agricultural use in the future.

Encourage cooperation through smart growth policies among and between municipalities.

Protect and enhance wildlife corridors connecting fragmented habitat parcels.

Regional goals and objectives from the 2006 plan:

Provide a range of housing opportunities in the North Mendota communities, where appropriate, that meets existing and forecasted needs of persons of all income levels and age groups and persons with special needs.

Promote and maintain quality neighborhoods that offer residents of the North Mendota Communities an exceptional quality of life.

Encourage housing that contributes to compact urban form.

Encourage housing developers to integrate a variety of housing styles and affordability levels into their residential subdivisions and other housing developments

Encourage neighborhood design that promotes social interaction and pedestrian access.

Encourage the location of housing in areas that are readily accessible to schools, parks, and neighborhood business districts, where appropriate.

Goals from the Sustainable City Plan:

Examine how to incentivize measures which encourage reduced water usage and increased water infiltration (possibly including rain barrels, rain gardens, low-flow fixtures, etc.)

- The Communities of Bishops Bay incorporates extensive stormwater management facilities that will meet and exceed the City and the Town's stormwater performance requirements.
- The Communities of Bishops Bay development incorporates bioretention basins, biofilters, and rain gardens which encourage water infiltration.

Explore current pesticide and herbicide use on City property and develop recommendations for using environmentally safer products to minimize health impacts on children, animals, and water quality.

- All farming will be organic or as close to organic as possible, in order to not expose local residents and waterways to excessive fertilizers and pesticides.

Add marked bike lanes throughout the City.

- The Parkway in the Communities of Bishops Bay includes a 5' marked bike lane.

Elements from the 2000 Comprehensive Plan for the Middleton – Westport Joint Planning Area that the CBB plan meets:

Encourage a mixture of housing types.

Preserve agricultural land outside of the Madison Metropolitan Sewerage District (MMSD) ultimate (year 2040) service line.

Identify areas that are appropriate for commercial development and delineate the types of uses that are permitted and/or encouraged.

Encourage compatible uses with existing, adjacent land uses.

Encourage traditional neighborhood development where appropriate.

Identify, preserve and obtain street and trail linkages to the east, north and west.

Support necessary improvements to routes serving the planning area.

Mitigate impact of increased traffic on existing neighborhoods.

Require developer to provide or pay for a traffic study that would outline any additional improvements necessary to accommodate traffic from the development, as well as ways to mitigate the traffic impact of the new development on nearby neighborhoods.

Identify and preserve environmentally sensitive land.

Require appropriate stormwater management and erosion control measures to ensure protection of the environment.

Link parkway system to provide continuous trails to existing and proposed Westport

In rural areas, utilize “conservation subdivision” principles to maintain the rural character of the countryside and preserve open space.

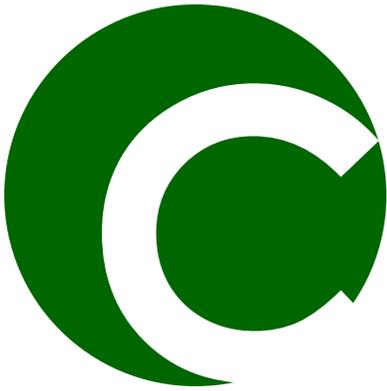
Encourage Traditional Neighborhood Developments (TNDs) that foster a sense of neighborhood and community.

Link the approval of new housing developments to the availability of infrastructure (including streets, schools, and utilities) to serve the housing.

Limit new access points onto county and state trunk highways.

Ensure that parcels adjacent to roadways, particularly near interchanges and major intersections, are appropriately zoned for the desired land use.

Appendix C:



*Sanitary Sewer and
Water Supply and
Distribution Study*

A utility study for Bishops Bay utility service has been prepared by Vierbicher Associates. That study has been included as an appendix to this document.

Appendix D:



*Comprehensive
Development
Plan Map*

The Comprehensive Development Plan Map is included in a pocket at the end of this document. Portions of this document either discuss information required by the CDP or map conceptual future conditions (see Chapter 6 for further discussion). The remaining information required for the CDP is shown in the CDP map. Note that the Environmental Corridor, shopping center area, civic areas, park and greenspace areas, Parkway right-of-way, and stormwater management area boundaries shown on the CDP map are approximate. Actual boundaries will be finalized as part of the final plat process.