



Department of Planning & Community & Economic Development

Planning Division

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January 12, 2016

Alex McKenzie
TR McKenzie, Inc.
1910 Hawks Ridge Drive
Madison, Wisconsin 53593

RE: Approval of a request to rezone 503 Schewe Road from Temp. A (Agricultural District) to SR-C1 (Suburban Residential–Consistent 1 District) and approval of a preliminary plat for the future creation of 45 single-family lots and 1 outlot for public stormwater management purposes.

Dear Mr. McKenzie;

At its January 5, 2016 meeting, the Common Council **conditionally approved** your zoning map amendment and the preliminary plat of “The Willows II” subject to the following conditions of approval to be addressed through the final plat of the subdivision:

Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following seventeen (17) items:

1. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to City Engineering sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Part or all of this property is subject to Sanitary Connection charges for the Elderberry Neighborhood Sanitary District.
2. Part or all of this property is in the Lower Badger Mill Creek Impact Fee District. Charges for this shall be paid prior to the issuance of a building permit for each buildable lot of the development.
3. Approximately Lots 21 thru 27 comprise a portion of the present natural drainageway. These lots shall require substantial fill, which cannot occur until a new drainage way is constructed. The development of this plat shall be phased to delay development of these lots.
4. The developer shall be responsible for the future removal of existing Schewe Road and construction of a new drainageway within the Schewe Road right of way and proposed Outlot 1.
5. The developer shall construct a north-south pedestrian/bike path along the western edge of plat limits within Outlot 1, configured with the new drainageway.
6. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.

7. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
8. The developer shall enter into a City/Developer agreement for the installation of public improvements required to serve this plat/ CSM. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this plat without the agreement executed by the developer. [Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.]
9. Two weeks prior to recording the final plat, a soil boring report prepared by a Professional Engineer, shall be submitted to the City Engineering Division indicating a ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9 feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
10. The developer shall construct Madison standard street and sidewalk improvements for all streets within the plat.
11. The developer shall note that AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat.
12. A minimum of 2 working days prior to requesting City Engineering signoff on the plat, the applicant shall contact Tim Troester (267-1995) to obtain the final stormwater utility charges that are due and payable prior to subdivision of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
13. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including SLAMM DAT files, RECARGA files, TR-55/HYDROCAD/Etc., and Sediment loading calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided).
14. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0-tons per acre per year.
15. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the Wisconsin Department of Natural Resources (WDNR) to review projects for compliance with NR-216 and NR-151. However, a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their

Water Resources Application for Project Permits (WRAPP) or Notice of Intent Permit (NOI) process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement.

16. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to: detain the 2-, 10- and 100-year storm events, matching post development rates to predevelopment rates; control 80% TSS (5 micron particle) off of new paved surfaces compared to no controls; provide substantial thermal control; provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event; provide infiltration in accordance with Chapter 37 of Madison General Ordinances, and; complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by Chapter 37 MGO.
17. The following notes shall be included on the final plat:
 - a.) All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.
 - b.) The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.

NOTE: In the event of a City of Madison Plan Commission and/or Common Council approved re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.

Information to Surveyor's: In addition to notes such as this, WI State Plat Review now enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail.

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have any questions regarding the following twenty-three (23) items:

18. The portion of the Schewe Road per Page 169 of the County Highway Book of the Town of Middleton and the 66-foot right of way per CSM 6407, lying southerly of White Fox Lane and within proposed Outlot 1 shall be discontinued/ vacated by the City of Madison. The discontinuance shall

be conditioned upon and not effective until a complete road connection is constructed from the end of Schewe Road at the Town of Middleton/City of Madison Corporate boundary going southerly to a connection with Elderberry Road. The applicant shall provide a legal description and map exhibit of both Public Highway Easements within this plat to Jeff Quamme of Engineering Mapping (266-4097) for use in the resolution to discontinue the road. Considering the discontinuance shall not be effective immediately, the plat shall show, note and dimension the existing Schewe Road right of ways within Outlot 1 as existing Highway easements. A note shall be added to the plat that the right of ways shall be discontinued by the City of Madison upon an adequate public access connection from the end of Schewe Road in the Town of Middleton going southerly to Elderberry Road being constructed to the satisfaction of the City of Madison Engineer.

19. Denote the Building Setback Line shown on CSM 6407 along Schewe Road on the preliminary plat. This restriction shall be released by a separate document drafted by the City of Madison Office of Real Estate Services prior to the sign off by engineering on the final plat. Coordinate the release with Jeff Quamme of City Engineering Mapping.
20. Outlot 1 shall be dedicated to the public for public stormwater management purposes. It shall also be noted to be subject to a Public Easement for Pedestrian and Bike Path Purposes over its entirety.
21. White Fox Lane shall be widened to be a 70-foot wide right of way to match the dedication in the first phase of this plat.
22. The preliminary plat shall show all utilities within and adjacent to the plat. Particularly locate and show all facilities that exist in the current Schewe Road right of way on the preliminary plat.
23. The Plat requires new Public (Sanitary Sewer, Storm Sewer, Storm Drainage, Water main, Bike Pedestrian Path) easements to be granted on the face of the subdivision. Contact Engineering (Jeff Quamme, jrquamme@cityofmadison.com) to receive the appropriate easement terms/conditions language for inclusion on the final plat.
24. The applicant shall coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final plat.
25. Standard Note for Public Utility Easements: Public Utility Easements as herein set forth are for the use by Public Bodies and Private Public Utilities having to right to serve the area.
26. A note shall be added under all of the street names labeled and to be dedicated on the final plat, "Dedicated to the Public" as required by Wis. Stats. Sec. 236.20(4)(b).
27. The future final plat application shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded plat image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for the new land records.
28. Show and label the current corporate boundary of the City of Madison on the preliminary plat.

29. Show "recorded as" information along the exterior boundary of the plat.
30. Show and label the existing 66-foot wide town road right of way of Schewe Road going west from the northwest corner of this preliminary plat.
31. A note shall be added to the plat in regard to public any possible public utility easements that will be granted within Outlot 1: The principal purpose of Outlot 1 is for public storm water management purposes. All other Public and Private utility facilities installed within Outlot 1 are hereby subservient to the principal public use of the Outlot for public storm water purposes. The City of Madison ("City") reserves the right of reasonable use and occupation of the Public Utility Easement Areas, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair replacement and/or modification of the other Pubic or Private Utility Facilities. If any reasonable use and occupation of the Easement Area by the City shall necessitate the Public or Private Utilities to remove or relocate their facilities or any part thereof, the Public or Private Utility shall perform such work at such time as the City may approve and without any cost to the City.
32. Curves shall be provided at the bend points within Big Stone Trail and Shining Willow Street.
33. The preliminary plat shall show the proposed utilities and street improvements under construction as part of Autumn Ridge Reserve to the south.
34. Correct the name of the plat to the south to Autumn Ridge Reserve.
35. Show and label the Public Drainage Easement between Lots 12 and 13 to the south within the plat of Autumn Ridge Reserve.
36. The applicant shall be aware that additional public storm water drainage, storm sewer, sanitary sewer and water main easements may be required upon final plat and utility design. Any easements shall be coordinated with City Engineering staff.
37. Show the access easement per Document No. 2446529 on the preliminary plat.
38. The street name Dragon Willow Drive shall be changed to Dragon Willow Lane.
39. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone 1997Coordinates on all PLS corners on the plat in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. The City has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City Engineering Division website for current tie sheets and control data (http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html). If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact the City Engineering Division for this information.
40. In accordance with Section s.236.20(2)(c)&(f), Wisconsin Statutes, the applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements which are being conveyed by the plat. Identify the owner and/or benefiting interest of all easements.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following three (3) items:

41. A declaration of conditions and covenant for streetlights and traffic signals shall be executed and returned prior to signoff of the final plat. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.
42. Utility easements shall be provided on the final plat as required by the City Traffic Engineer. The applicant shall show a detail drawing of the 12-foot utility easement dimensions and lot lines on the face of the final plat.
43. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following two (2) items:

44. All public water mains and water service laterals shall be installed by a standard City of Madison Subdivision Contract. The Water Utility will not need to sign off the final plans, but will need a copy of the approved plans.
45. All operating private wells shall be identified and permitted by the Madison Water Utility and all unused private wells shall be abandoned in accordance with MGO Sec. 13.21.

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:

46. Provide the following information to the buyer of each individual lot: "The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e)."

Please contact Janet Schmidt of the Parks Division at 261-9688 if you have any questions regarding the following four (4) items:

47. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development in this subdivision. The developer must select a method for payment of park fees before signoff on the final plat. This development is within the Far West park impact fee district (SI30). Please reference ID# 15160 when contacting Parks Division staff about this project.
48. Outlot 1 shall be modified to show the designation to state it is being dedicated to the public for stormwater purposes. This outlot shall not be dedicated for public park purposes.

49. The following note shall be included on the plat: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."
50. Prior to sign off on the final plat, the applicant shall execute a declaration of conditions and covenants along with an impact fee schedule for the park impact fees for this development. This document will be recorded at the Register of Deeds.

Please contact my office at 261-9632 if you have any questions about the following three (3) items:

51. White Fox Lane shall be widened to a 70-foot right of way consistent with the width of the street platted in The Willows and Sauk Heights subdivisions to the east of the proposed plat and with the collector street recommended for this portion of the neighborhood by the Elderberry Neighborhood Development Plan. The increased width shall be shown on the final plat at the time of its submittal for approval prior to recording.
52. That Outlot 1 be revised with the final plat to include a minimum 20-foot extension to Burnt Sienna Drive adjacent to proposed Lot 22 to accommodate a 10-foot wide path connection into the neighborhood. This path connection shall be graded and gravel base installed during the construction of the stormwater management features of the subdivision. [Ideally, this connection would occur as close to the intersection of Burnt Sienna Drive and Shining Willow Street as possible.]
53. That prior to final approval and recording of the final plat of The Willows II, the applicant work with the Planning Division and Capital Area Regional Planning Commission to revise the environmental corridor map to reflect the proposed minor changes to the north-south drainage corridor reflected by proposed Outlot 1.

Please contact Heidi Radlinger of the Office of Real Estate Services at 266-6558 if you have any questions regarding the following two (2) items:

54. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish to the City's Office of Real Estate Services, as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (October 31, 2014) and the date when sign-off of the final plat is requested. The surveyor shall prepare the final plat with the most recent information available in the title report update. Insert all necessary certificates required for the final plat. The title and narrative of each certificate shall be prepared consistent with the interest involved and consistent with record title.
55. An Environmental Site Assessment will be required because of the public dedications.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Any appeal regarding the plat, including the conditions of approval related thereto, must be filed with the Circuit Court within thirty (30) days from the date of this letter. If I may be of any further assistance, do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Tim Troester, City Engineering Division
Jeff Quamme, City Engineering Division–Mapping Section
Eric Halvorson, Traffic Engineering Division
Janet Schmidt, Parks Division
Jenny Kirchgatter, Assistant Zoning Administrator
Bill Sullivan, Madison Fire Department
Dennis Cawley, Madison Water Utility
Heidi Radlinger, Office of Real Estate Services

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