



Project Address: 10202 Valley View RD

Application Type: Subdivision Plat

Legistar File ID#

Requested Action: South Addition to Birchwood Point Subdivision, creating 130 single-family lots, 45 lots for two-family twin homes, and two outlots for public parkland, and two outlots for stormwater management.

Proposal Summary:

Applicant: Jeff Rosenberg; 6801 South Towne Dr Madison, WI 53717

Contact:

Property Owner: Y-not 1 Llc; Suite 100, 702 N High Point Rd, Madison, WI 53717

-Please See the PLANNING DIVISION STAFF REPORT for More Information on this Request -

Recommended Agency Comments and Conditions

Major/Non-Standard Conditions are Shaded

Engineering Review Main Office (Contact Timothy Troester, 608-267-1995)

1. Developer shall construct full width street & sidewalk improvements of Watts Road from the limits of this plat to connect to the current limits built within the 1000 Oaks Plat. This will require land purchase and ROW dedication beyond this plat.
2. 5.0 The Developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat/csm. (MGO 16.23(9)(d))
3. 5.1 All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO16.23(9)(d)(4))
4. 1.1 The construction of this project will require that the applicant shall enter into a City / Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum. (MGO 16.23(9)c)

5. 1.3 This development is subject to impact fees for the Lower Badger Mill Creek Sanitary Sewer and Stormwater Management Improvement Impact Fee District. All impact fees are due and payable at the time building permits are issued. There is a lift station connection fee as well with this impact fee district.(MGO Chapter 20)

The following note shall put the face of the plat/CSM: LOTS / BUILDINGS WITHIN THIS SUBDIVISION / DEVELOPMENT ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.

6. 7.1 A Phase 1 environmental site assessment per ASTM E1527-13 is required for lands dedicated to the City. The applicant shall provide 1 digital copy, and a staff review will determine if a Phase 2 ESA is also required. Submit reports to Brynn Bemis (608-267-1986, bbemis@cityofmadison.com).
7. 4.1 An erosion control plan and permit application shall be submitted to the Engineering Division for review and approval prior to grading or any other construction activities. The Preconstruction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. 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-tons per acre per year.
8. 4.11 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain. (NOTIFICATION)
9. 4.14 This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION)

10. 4.2 The following notes shall be included on the final plat (MGO: 16.23(9)(d)2. (a. & b.) 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, without the approval of the City Engineer at the time of site plan review. Fences may be placed in the easement only if they do not impede the anticipated flow of water. NOTE: IN THE EVENT OF A CITY OF MADISON PLAN COMMISSION AND/OR COMMON COUNCIL APPROVED REDIVISION 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. 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. 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.
11. 4.7 Prior to the issuance of building permits, the Developer shall submit a master stormwater drainage plan to the City Engineering Division for review and approval which shows lot corner elevations to the nearest 0.25-foot. For purposes of the plan, it shall be assumed that grading shall be done on a straight-line grade between points unless other information is provided. The proposed slope between points shall always be greater than or equal to .0075 ft/ft. If a break in grade is required between lot corners a shot shall be taken at that break in grade to provide the Engineer with enough information to interpret the plan. The Developer shall also show proposed drainage arrows on the plan to indicate the proposed direction of drainage. (MGO 16.23(9)(D)) The master storm water drainage plan shall be submitted to City Engineering in digital format with elevations/grades/contours shown on the recorded plat map of the development. The digital record shall be provided using the state plane coordinate system – NAD 27. NOTE: It is required that this plan shall be stamped by and Registered Land Surveyor.

The following note shall accompany the master storm water drainage plan:

a. For purposes of this plan, it is assumed that grading shall be a straight-line grade between points unless otherwise indicated. All slopes shall be 0.75% or steeper. Grade breaks between lot corners are shown by elevation or through the use of drainage arrows.

No building permits shall be issued prior to City Engineering's approval of this plan.

12. 1.2 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' below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer. (MGO 16.23(9)(d)(2) and 16.23(7)(a)(13))

13. 3.1 The Developer shall construct Madison Standard street and sidewalk improvements for all streets within the plat/csm. (MGO 16.23(9)(d)6)
14. 3.14 The Developer shall make improvements to Valley View Road to facilitate ingress and egress to the plat/csm as required by City Engineer. (MGO 16.23(9)(d)6)

The above improvement will consist of acceleration and deceleration tapers.

15. 3.15 The developer shall note the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat/csm. (INFORMATIONAL)
16. 3.16 The developer shall confirm that adequate sight distance exists where public streets intersect. If adequate sight distance does not exist, the developer shall change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make other mitigating improvements as required by the City. (POLICY)
17. The developer shall construct public bike path through Outlots 12, 24 & 26 as required by City Engineer.
18. Applicant shall change portion of outlot 12 that is behind lots 232-245 to public bike path easement purposes (remove park purposes). Also remove portion of outlot 12 that extends between lots 235 & 236.

Traffic Engineering Review (Contact)

19. Prior to final sign-off, the applicant shall work with Traffic Engineering Electrical Section to record the necessary easements for streetlights.
20. The applicant shall execute and return the attached declaration of conditions and covenants (DCC) for streetlights & traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs. If the DCC is not executed the applicant shall pay a \$30.00 fee which is payable to the City of Madison Treasurer to be delivered or mailed to Attention Eric Halvorson, Traffic Engineering, Madison Municipal Building, Suite 100, 215 Martin Luther King Jr. Blvd., P.O. Box 2986, Madison, Wisconsin 53701-2986.
21. The Developer shall construct Madison Standard street and sidewalk improvements for all streets within the plat/csm. (MGO 16.23(9)(d)6)
22. The applicant shall work with Traffic Engineering, Parks, and City Engineering to create a better East-West connection through park on outlot 23 of proposed plat to align with "K" street.

Zoning Review (Contact Jenny Kirchgatter, 608-266-4429)

23. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
24. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185 (7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
25. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.

26. Correct the lot area square footage labeled on lots 390, 391, and 392.
27. Submit the Master Plan document for final approval by Zoning and Planning staff.
28. Include an exhibit in the Master Plan with a list of the lot numbers and lot type.
29. Include an exhibit in the Master Plan showing that all residential lots are located within one-quarter (¼) mile of existing or planned public or common open space. Land reserved for stormwater management and other required site improvements shall not be applied to this open space requirement, unless designed as open space that will meet resident needs.

Fire Review (Contact William Sullivan, (608) 261-9658)

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

Parks/Forestry Review (Contact Sarah Lerner,)

31. The preliminary plat, as currently proposed includes 220 single-family units with credit for one single family unit home will be credited to Lot 342 of the proposed plat. The parkland dedication requirement for a single-family and duplex is 1081 square feet per MGO Sec. 16.23(8)(f) and 20.08(2). The total dedication requirement as proposed is approximately 5.5 acres. As proposed Outlots 12 and 23 exceed the required land dedication no Park-Land Impact Fees will be due for this proposed subdivision.
32. Lands that are dedicated for park purposes to fulfill the parkland dedication shall be suitable for park development. The Applicant shall provide proposed grading plans prior approval of the area of dedicated public parklands. General guidelines for park development include:
 1. Areas within a park to be used for open space for active and passive recreation shall be graded at 1-2% for the area where fields are proposed.
 2. No side slopes within the park dedication area shall exceed 4:1.
 3. Large or excessive retaining walls shall not be allowed on public parklands to meet the grading requirements.
 4. The Applicant shall provide a proposed bike path grading plan to show any potential impacts to the trees within the proposed park.
 5. No proposed utilities will be allowed on public park land without prior approval by the Parks Superintendent or his designee.
 6. Provide for graded walking path to be constructed around the stormwater management property within OL 24.
33. Since the stormwater management and park land dedications are shown adjacent to each other, a final determination of the parkland area that will be proposed for parkland dedication cannot be calculated until after the final stormwater master plan is completed.
34. The applicant shall construct 10ft wide asphalt path that extends from “J” Court between Lots 419 and Lot 420.
35. The applicant shall provide information regarding the storm overflow in the adjacent greenway and street to ensure the overflow is not on the park property.
36. The area behind Outlot 12 that Veridian is showing as a bike path, should be dedicated for bike path purposes and not public parkland dedication.

37. Park-Infrastructure Impact Fee, per MGO Sec. 20.08(2), will be required for all new residential development associated with this subdivision. The Applicant may enter into a development agreement for the park infrastructure improvements in lieu of paying Park impact fees. The developer must select a method for payment of park impact fees prior to signoff of the final plat. Please reference ID# 18104 when contacting Parks about this project.
38. Prior to sign off on the final plat the Applicant shall execute a declaration of conditions and covenants along with an impact fee schedule for the Park Impact Fees for this development. This document will be recorded at the Register of Deeds. The Applicant shall be responsible for all recording fees.
39. The Applicant shall enter into a maintenance agreement for the perpetual maintenance of the medians and private Outlots within the plat. The Applicant shall work with City Engineering or City Traffic Engineering on the approval of any plantings within the median(s).
40. The Applicant shall install a fence along the boundary of lands dedicated for public park purposes at the sole expense of the Applicant. The fence shall be installed on private property to a design that is mutually agreeable to the Applicant and Parks Division. The cost of the fence shall not be eligible for Park –Infrastructure Impact Fee credits. The applicant shall execute a deed restriction that would require the fence to be perpetually maintained by the property owners for any lots that are adjacent to publicly dedicated park lands.
41. No farming or use of lands to be dedicated to the public for Park purposes shall be allowed unless specifically approved by the Parks Superintendent and permitted under a farm lease administered through the City of Madison Office of Real Estate Services.
42. The Applicant shall prominently stake all boundaries and property irons for lands to be dedicated for park purposes.
43. City Forestry will evaluate the terrace for new street tree plantings upon completion of the project. If there is space for new trees, City Forestry will schedule planting and assess the cost of the initial planting to the property owner.
44. The following note should be included on the subdivision: “LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.”
45. The Developer shall provide soil borings within any lands to be dedicated as parkland.
46. The Applicant shall complete a tree inventory and health assessment for the trees located on the proposed outlots dedicated for park purposes. The tree inventory and health assessment should be completed by an arborist and provided to the Parks Division with the Final Plat application.

Water Utility Review (Contact Adam Wiederhoeft,)

47. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat/CSM per MGO 16.23(9)(d)(3).
48. All public water mains and water service laterals shall be installed by a standard City subdivision contract / City-Developer agreement. Applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.

Metro Review (Contact Timothy Sobota, (608) 261-4289)

49. a. The proposed subdivision is outside Metro Transit's service area. The closest bus stop with scheduled bus service is no less than two miles walking distance - and the lots would be greater than the ¼ mile regulatory distance from all day scheduled bus service, that disqualifies any trips in this subdivision for passengers who might otherwise be eligible for door-to-door paratransit service.
50. b. The pedestrian access between this site and the scheduled bus service, located at South Junction Road and Watts Road, includes approximately one-half of a mile travel along the unimproved shoulder of Valley View Road (Posted 45 mph).

City Eng. Review Mapping (Contact Jeffrey Quamme, (608) 266-4097)

51. 6.9 The No Vehicular Access restriction per CSM 6411 shall be released by separate document prepared by City Office of Real Estate Services. Applicant must prepare metes and bounds legal descriptions and scale map exhibits for the portions to be released and provide to Engineering Land Records Coordinator Jeff Quamme for review along with the \$500 administrative fee. (608-266-4097) (jrquamme@cityofmadison.com). Any new vehicular access restrictions required for this plat along Valley View Road shall be added to the plat.
52. The existing common access drive over the east side of the proposed plat is to be removed. This requires the release recorded at the Register of Deeds of the 66' wide Private Ingress-Egress Easement per CSM 6411 and Doc No. 2334874 by all parties of interest. Also required is a recorded easement/agreement providing the revised access configuration to serve the adjacent property to the east.
53. The offsite dedication of Watts Road providing complete connection to the east, the dedication of the required portion of the intersection of Sugar Maple and "G" Street and any associated City utility easements and temporary construction easements shall be granted to the City of Madison. The Developer shall be responsible in acquiring the lands and easements for conveyance to the City and for public use. The City of Madison Office of Real Estate Services shall administer and draft the conveyance documents to the City of Madison. Contact Jeff Quamme of Engineering Mapping to determine the information required. Development of some lots may be restricted until these conveyances have been made to the City of Madison. In the event that the developer is unable to acquire the right of way and/or sloping easements required, the City shall assist the developer in acquiring the property and the developer shall pay the City for all costs associated with the acquisition
54. The portion of the Sanitary Sewer Easement per Doc No. 5224627 under the proposed public right of way shall be released to permit the development of a public road. Provide the map exhibit, legal description and \$500 administrative fee to Jeff Quamme (jrquamme@cityofmadison.com) to set up the Real Estate project.
55. 6.12 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.
56. A public pedestrian and bicycle path easement over the entirety of Outlot 24 and Outlot 26 shall be required.
57. The underground electric easements per Doc No's 2609646 and 2609647 are to be released. Provide recorded copies of the easement releases prior to final sign off.

58. 6.1 Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com). If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office and shall be attached to a signed and sealed monument condition report. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. Note: Land tie to two PLS corners required.
59. 6.3 The Applicant shall submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat/CSM to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe pdf format. The digital CADD file shall be submitted in the WISDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat:
- a. Right-of-Way lines (public and private)
 - b. Lot lines
 - c. Lot numbers
 - d. Lot/Plat dimensions
 - e. Street names
 - f. Easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).
- NOTE: This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any original submittal of data and prior to final sign off.
60. 6.5 Prior to Engineering final sign-off by main office for Plats, the final Plat must be submitted to Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the FINAL Plat in PDF form is preferred. Transmit to jrquamme@cityofmadison.com
61. The existing Sanitary Sewer Easement per Doc No 5224627 shall remain within Outlot 26. It shall be shown within the Outlot on the final plat.
62. Add text to the Outlots subject to easements that the easements are over the entirety of the Outlot.
63. Show the areas outside of the plat to be dedicated to the public for public right of way and note that the dedication shall be by separate instrument.

64. Specify that there are No Buildings Permitted within the wetland setback areas shown on the plat.
65. Submit suggested street names to Lori Zenchenko for review and approval. LZenchenko@cityofmadison.com