



## Report to the Plan Commission

June 4, 2012

**Legistar I.D. #26309 & 26xxx**  
**901-1001 Sugar Maple Lane**  
**Rezoning & Preliminary Plat**

Report Prepared By:  
Timothy M. Parks, Planner  
Planning Division

**Requested Action:** Approval of a request to rezone 25.7 acres of land located at 901, 953 and 1001 Sugar Maple Lane from Temp. A (Agriculture District) to R2 (Single-Family Residence District), R4 and R5 (General Residence Districts), and; approval of a preliminary plat creating 44 future single-family residential lots, 4 lots for future multi-family development, and 1 outlot for future public stormwater management.

**Applicable Regulations & Standards:** Section 28.12(10) provides the process for zoning map amendments. The subdivision process is outlined in Section 16.23 of the Subdivision Regulations.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission forward Zoning Map Amendments 3610-3612, rezoning 901, 953 and 1001 Sugar Maple Lane from Temp. A to R2, R4 and R5, and the preliminary plat of Soaring Hawk, to the Common Council with recommendations of **referral** to allow the applicant an opportunity to address the concerns raised in this staff report.

### Background Information

**Applicant & Property Owner:** James Bourne, Sugar Land, LLC; 112 Ineichen Drive; Verona.

**Surveyor:** Eric W. Sandsnes, Royal Oak Associates, Inc.; 3678 Kinsman Boulevard; Madison.

**Proposal:** The applicant is requesting approval of a subdivision plat to create 44 future single-family lots in R2 zoning, 1 lot for future multi-family development in R4 zoning, 3 lots for future multi-family development in R5 zoning, and 1 outlot for public stormwater management. The applicant wishes to commence construction of the subdivision in August 2012 following approval and recording of a final plat of the subdivision, with completion of the development anticipated in 2017.

**Parcel Location:** An approximately 25.7-acre parcel generally located at the southeastern corner of Valley View Road and Sugar Maple Lane; Aldermanic District 1 (Subeck); future Madison Metropolitan School District.

**Existing Conditions:** The subject site is developed with three single-family residences, zoned Temp. A (Agriculture District).

### Surrounding Land Use and Zoning:

North: Undeveloped lands previously approved for development as the 1000 Oaks subdivision, zoned R2T (Single-Family Residence District) and PUD-GDP;

South: Single-family residence and undeveloped lands in the Town of Middleton;

East: US Forest Products Lab lands in the Town of Middleton; single-family residences in the Pine Hill Farms subdivision in the City of Madison, zoned R2S (Single-Family Residence District);

West: Single-family residence and undeveloped lands in the Town of Middleton; Hawks Woods development in the City of Madison, zoned R2 (Single-Family Residence District) and R4 (General Residence District).

**Adopted Land Use Plan:** The subject site is located within the portion of the Mid-Town Neighborhood Development Plan that was amended in 2010 to provide more detailed planning recommendations for the western portion of the planning area generally located between the Hawks Landing Golf Club subdivision and Pioneer Road. The amended plan recommends that the southern half of the subject site be developed with low-density residential uses not to exceed 8 units an acre in Housing Mix 1, which encourages small areas of duplexes, rowhouses and townhouses in addition to a wide range of single-family detached residences and lots. The remaining northern half of the site is recommended for a mix of low- to medium-density residential uses between 8-15 units an acre in Housing Mix 2 and medium-density residential uses between 16-25 units an acre in Housing Mix 3. A 75-foot wide corridor extending east-west through the southern third of the site is recommended for stormwater management uses and an off-street multi-purpose path.

**Environmental Corridor Status:** The subject property is located in the Central Urban Service Area. The approximate location of the proposed subdivision's stormwater management facility and an east-west drainage conveyance connecting this facility to a stormwater management facility in the Pine Hill Farms subdivision to the east of the US Forest Products Lab lands abutting the subject site are shown within mapped environmental corridors. In addition, another area is shown in a mapped corridor on the portion of the US Forest Products lands located north and east of the subject site, where the Mid-Town Neighborhood Development Plan shows a stormwater management facility to serve development of those lands if at some time in the future they should be developed for uses other than the agricultural research currently conducted on that site.

**Public Utilities and Services:** The property can generally be served by a full range of urban services. Sanitary sewer service for the proposed subdivision will require an off-site extension of City sewer from the Hawks Woods development southwest of the subject site across Sugar Maple Lane, which will require the developer to obtain an easement to allow the main to extend across undeveloped land in the Town of Middleton.

**Zoning Summary:** See the 'Project Review' section below. Zoning staff indicates that there are no "Critical Zoning Items" affecting the subject site.

## **Project Review**

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The applicant is requesting approval of a zoning map amendment and preliminary plat to allow an L-shaped 25.7-acre parcel located at the southeastern corner of Valley View Road and Sugar Maple Lane to be subdivided in the future into 44 single-family lots in R2 (Single-Family Residence District) zoning, 1 lot for multi-family development in R4 (General Residence District) zoning, and 3 lots for multi-family development in R5 (General Residence District) zoning. The preliminary plat of Soaring Hawk also calls for the future creation of an outlot for public stormwater management.

### Background & Existing Conditions

The subject site, which was attached to the City from the Town of Middleton on October 6, 2009, is comprised of three parcels zoned Temp. A Agriculture District. Each of the three parcels is developed

with a single-family residence that will be demolished to accommodate the proposed residential development. The applicant did not submit demolition permit requests for these residences, though approval of demolition permits will be required concurrent with a final plat request for this development if the proposed zoning map amendment and preliminary plat requests are approved.

The first parcel comprising the subject site, moving from north to south, is a 7.2-acre property at 901 Sugar Maple Lane, which is developed with a two-story ranch-style home. The residence is located approximately 80 feet south of Valley View Road and 40 feet east of Sugar Maple Lane. A large metal standing-seam accessory building is located east of the house, approximately 65 feet south of Valley View Road. Moving south, the second parcel is a 9.3-acre parcel addressed as 953 Sugar Maple Lane. The westernmost quarter of the property adjacent to Sugar Maple is developed with a single-story ranch home and attached two-car garage, with the remainder of the property used for agricultural purposes. The area surrounding the residence is characterized by a dense stand of mature vegetation that separates the residential portion of the property from the portion in tillage. The southernmost parcel comprising the future subdivision is a 9.25-acre parcel addressed as 1001 Sugar Maple Lane, which is developed with a split-level single-family residence and detached garage located approximately 380 feet east of Sugar Maple Lane near the center of the parcel. The area surrounding the residence is characterized by mature vegetation, with agricultural tillage east and west of the home. No data on the date of construction, interior floor area and layout, or condition of the three residences was provided by the applicant, and such information is not currently available from the City Assessor's Office.

In addition to the areas of vegetation described near the residences, the subject site is characterized by areas of mature tree cover that extend along Valley View Road and along a portion of the northern property line of the 953 Sugar Maple parcel, and a tree line that extends along the eastern and southern edges of the site. Additionally, a series of mature maple trees extends along the easterly right of way line of Sugar Maple Lane south of the residence at 901 Sugar Maple. The grade of the subject property generally falls towards low points along Sugar Maple Lane from the northern, eastern and southern edges of the site.

The subject site is located in an area of the City that has seen considerable development over the last 15 years, including residential subdivisions to the south and east. The L-shaped site is bordered on the east by lands owned by the US Forest Products Lab, which are located in the Town of Middleton and separate the subject site from the Pine Hill Farms and Linden Park single-family subdivisions and Paul Olson Elementary School. The R2- and R4-zoned Hawks Woods subdivision is located southwest of the subject site across Sugar Maple Lane. Sugar Maple Lane ends just south of the Hawks Woods development at Hill Creek Drive in the western extents of the Hawks Landing Golf Club residential development.

Properties immediately south, west and north of the subject site are presently undeveloped agricultural lands characterized by three large single-family residences located south between the site and Hawks Landing and a residence located on the west side of Sugar Maple Lane adjacent to Hawks Woods. The 124.7 acres of land located across Valley View Road from the site west of South Point Road were approved in 2005 and 2008 as the future 1,000 Oaks residential subdivision containing 274 single-family lots, 9 two-family lots, 1 lot for townhouse development, 3 lots for future multi-family development and various outlots for public and private open space and stormwater management. Construction of the approved 1,000 Oaks development, however, has not proceeded.

The subject site is located within the boundaries of the recently amended Mid-Town Neighborhood Development Plan. The neighborhood plan was first adopted in 1999 to provide detailed land use recommendations for the lands within the Hawks Landing development and was subsequently

amended to include more detailed recommendations for the lands now encompassed in the Hawks Woods, Linden Park, and Pine Hill Farm developments between Valley View and Mid Town roads, and for the Hawks Ridge Estates and Hawks Meadows developments south of Mid Town Road and north of University Ridge Golf Course. The most recent amendment approved in 2010 was intended to guide future urban development in the western portion of the neighborhood west of Hawks Landing and Pine Hill Farm, including properties north and west of the developed portion of the planning area that have recently been annexed to the City. The amended plan provides detailed land use, transportation and stormwater management recommendations for the balance of the Mid-Town neighborhood, the majority of which is recommended for Low-Density Residential development – including the subject site – in the Comprehensive Plan.

The site is located within the boundaries of the Phase A area of the 2010 amendment to the Mid-Town Neighborhood Development Plan, which comprises the lands generally located between the Hawks Woods and Hawks Landing development and Valley View Road on either side of Sugar Maple Lane. The amended plan recommends that the southern half of the subject site be developed with low-density residential uses between 4-8 units an acre in Housing Mix 1. The “housing mix” convention was developed by staff to more expressly describe the housing types that would be appropriate for those lands recommended for residential development in more recent neighborhood development plans, including the 2008 Pumpkin Hollow Neighborhood Development Plan, 2009 Northeast Neighborhoods Development Plan and the Amended Mid-Town NDP. Housing Mix 1 encourages small areas of duplexes, rowhouses and townhouses in addition to a wide range of single-family detached residences and lots.

The northern half of the subject site closest to Valley View Road is recommended for a mix of low- to medium-density residential uses between 8-15 units an acre in Housing Mix 2, while the center of the site is recommended for medium-density residential development between 16-25 units an acre in Housing Mix 3. Low-medium density residential housing with an average net density between 8 and 15 units per acre is recommended at selected locations adjacent to neighborhood focal points, such as parks, and adjacent to areas recommended for medium density residential development. Housing Mix 2 encourages duplexes and clustered housing forms such as townhouses and rowhouses as the predominant housing types. The area shown in the neighborhood plan for medium-density residential uses along Sugar Maple Lane was specifically recommended to provide higher density housing choices and help frame a gateway into the neighborhood. The plan anticipates the development of small or mid-size apartment and condominium buildings, as well as townhouses and rowhouses.

A 75-foot wide corridor extending east-west through the southern third of the site is recommended for stormwater management uses and an off-street multi-purpose path.

#### Zoning Map Amendment and Plat Review

Access to the proposed subdivision will be provided by the extension of two east-west streets into the site from Sugar Maple Lane, Ancient Oak Lane and Lost Pine Trail. Both of these streets represent the extension of public streets located to the east of the adjacent US Forest Products Lab property in the Pine Hill Farms and Linden Park developments. The section of Ancient Oak Lane proposed with this plat will extend parallel to and approximately 160 feet south of Valley View Road across the northerly section of the subject property as generally recommended in the amended Mid-Town Neighborhood Development Plan. Lost Pine Trail is proposed to extend across the southern tier of the subject site approximately 120 feet north of the southern property line in an alignment similar to the proposed street plan contained in the neighborhood plan. The connection of these future streets to the same streets in

the Pine Hill Farm subdivision will likely not occur until the Forest Products Lab property is more intensively developed at some undetermined time in the future.

In addition to the two east-west public streets proposed within the Soaring Hawk development, the applicant proposes a 30-foot wide outlot (Outlot 2) for a private road to extend east-west between two of the proposed R5-zoned lots envisioned for future multi-family development, Lots 15 and 16. The private road will end at a public street shown as Hunter Lane, which will parallel Sugar Maple Lane at Ancient Oak Lane before curving to the east to parallel Lost Pine Trail. Dylan Drive is proposed to extend north-south through the center of the proposed subdivision as a public street. The applicant indicates that the private road is intended to provide access for residents and emergency responders to the future multi-family development(s) anticipated on those lots.

In addition to the proposed 2.63-acre Lot 15 and 3.1-acre Lot 16, the applicant proposes multi-family development on Lot 17, a 1.95-acre parcel proposed to extend across the northern edge of the plat between Valley View Road and Ancient Oak Lane, and Lot 18, a 1.23-acre lot located on the east side of Hunter Lane opposite Lot 16. Lots 15, 16 and 17 will be zoned R5, while Lot 18 is proposed to be zoned R4. A concept plan submitted with the application materials envisions the future development of up to 256 units in a series of multi-family buildings on Lots 15-17, which would result in a net density of 33.5 units an acre. The concept plan calls for Lot 18 to be developed in the future with 18 multi-family units, which would result in a density of 14.6 units an acre. The concept plan suggests that the 18 units on Lot 18 could be located in 3 six-unit buildings with rear-loaded garages and shared access.

The concept plan for Lots 15-18 should be considered illustrative at this time. Future development of these lots will require separate approvals by the Plan Commission of a planned residential development conditional use or a rezoning to the Planned Unit Development zoning district, both of which would require Urban Design Commission review prior to the Plan Commission's review. (If proposed for PUD zoning, final approval by the Common Council would also be required.)

The remainder of the proposed subdivision will be developed with 44 single-family lots to be zoned R2 Single-Family Residence District zoning, including 24 lots that will front onto or abut Lost Pine Trail, 10 lots that will front onto the east-west segment of proposed Hunter Lane, 4 lots that will front onto Dylan Drive north of Hunter Lane, and 6 lots that will surround a cul-de-sac, Bentley Court. All of the single-family lots proposed will exceed the minimum 50 feet of lot width, 100 feet of lot depth and 6,000 square feet of lot area required in the R2 district.

The preliminary plat includes a proposed public outlot for stormwater management and parkland (Outlot 1), which will be located at the northeastern corner of Sugar Maple Lane and proposed Lost Pine Trail and include a 70-foot wide "panhandle" extending east to front onto Dylan Drive. East of Dylan Drive, stormwater conveyance is proposed in a 70-foot wide drainageway easement that will extend along the rear lot lines of Lots 31-42.

## **Analysis & Evaluation**

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The Planning Division has significant concerns with the proposed Soaring Hawk development as presented, including issues that may require it to be redesigned before it can be approved by the Plan Commission and Common Council. Staff has discussed these concerns with the applicant, who was involved in the process to amend the Mid-Town Neighborhood Development Plan, and his engineer.

Planning staff believes that the Soaring Hawk subdivision should more closely follow the proposed street layout for these properties included in the Mid-Town Neighborhood Development Plan. While there is often some deviation between the street layout contained in a less-detailed neighborhood development plan and a formal subdivision proposal, staff does not feel that the layout proposed by the applicant best reflects the appropriate development of the subject site.

Specifically, Planning staff has identified the following differences between the street alignment in the amended Mid-Town Neighborhood Development Plan and the proposed Soaring Hawk development, which staff feels should be addressed before this project proceeds further:

- The proposed northern terminus of Dylan Drive and the proposed creation of the Bentley Court cul-de-sac in the Soaring Hawk subdivision raises concerns about the ability to provide a connection between this subdivision and a possible future development of the northwestern portion of the Forest Products property. Staff fully acknowledges that any such development of the Federal lands could be many years or even decades into the future. However, as proposed the extension of Dylan Drive onto the adjacent property could negatively impact the likely location of stormwater management for any future development. As adopted, the neighborhood plan calls for stormwater management for the northern portion of the Forest Products property to occur where Dylan Drive would extend. While there may be potential for the stormwater management needs of any such future development to be handled differently from how it is portrayed on the Mid-Town Neighborhood Development Plan, the plan called for the detention facility at the southwestern corner of the Federal land because that area is the lowest of that portion of the property and therefore the likeliest place for a future development to meet its stormwater management needs.
- Staff also does not believe that the proposed Bentley Court cul-de-sac can meet the exemptions in the Subdivision Regulations for the creation of new cul-de-sacs. Sec. 16.23(8)(a)1 states that:

*“Cul-de-sacs shall not be used in any street layout, unless the topography or other unique physical feature of a development makes cul-de-sacs the only, or most logical, street layout. Where cul-de-sacs are determined to be necessary, a sidewalk, connecting path or multi-use path shall be provided to connect to another public right of way unless topography or other unique physical features make this connection impossible.”*

Sec. 16.23(8)(a)2 further states that:

*“Proposed streets shall extend to the boundary lines of the subdivision unless prevented by topography or other physical conditions; or unless in the opinion of the Plan Commission such extension is not necessary or desirable for the coordination of the layout of the subdivision and for the advantageous development of the adjacent lands.”*

Staff does not believe that such extreme topography exists along the northern edge of the subject site to cause a cul-de-sac to be proposed. Instead, staff recommends that Bentley Court be extended to the northern property line abutting the Forest Products property to serve future development. Concurrently, staff recommends that Dylan Drive be terminated at Hunter Lane to eliminate any potential future issues with the development of the Federal lands in accordance with the adopted neighborhood plan.

- The alignment of Lost Pine Trail, which is slightly shifted to the south on the plat, creates an undesirable intersection with Sugar Maple Lane in staff's opinion. Staff from Planning and the City Engineering Division feel that the street alignment on the plat, while subtly different from the

neighborhood development plan, should be realigned to create a more standard four-point intersection with Sugar Maple Lane and more gradually transition near the eastern property line to line up more directly with the western terminus of Lost Pine Trail in the Pine Hill Farms subdivision.

Planning and Engineering staff are also concerned about the drainage way easement proposed at the rear of Lots 31-42. The City Engineering Division does not typically support public stormwater conveyance across private property, especially at the rear of single-family lots due primarily to concerns about the ability to maintain the drainage facilities in the long term. Staff believes that a number of alternatives exist to address the concern about the project's proposed stormwater conveyance, including piping the stormwater from the eastern edge of the development and Pine Hill Farm to the proposed detention facility in the southwestern quadrant of the subdivision, or the creation of an outlot to be dedicated to the City for an open drainageway through the rear yards of Lots 31-42. If the first alternative is selected by the applicant, the stormwater pipe would likely move to the front of Lots 37-42 and be located in the Lost Pine Trail right of way. If the open drainageway option is chosen, staff recommends that the outlot be 75 feet wide to accommodate both the drainageway and a future off-street multi-purpose path called for in the Mid-Town NDP.

City staff also does not support the creation of a private road to serve the multi-family residential development on Lots 15 and 16 and recommends instead that it be proposed instead as a public street with a right of way of 60 feet. An east-west public street was shown through the center of the area recommended for medium-density residential development on the east side of Sugar Maple Lane in the amended Mid-Town Neighborhood Development Plan and staff recommends that the private road be revised to better reflect the neighborhood plan in this regard. Staff believes that there are alternatives for how this east-west street can be integrated into the Soaring Hawk development, including the potential for the creation of a through-alignment of the east-west segment of Hunter Lane with the east-west public street through Lots 15 and 16.

The Planning Division also does not support the 33.5 units an acre proposed for Lots 15-17 at this time. The conceptual maximum density for those three lots is greater than 8 units an acre in excess of the maximum density recommended in the Mid-Town NDP for Lots 15 and 16, which were identified for future medium-density development with an average density of 16-25 units an acre, and more than double the maximum density envisioned for Lot 17, which is shown on the neighborhood plan for low- to medium-density residential uses between 8 and 15 units an acre. Staff does not believe it can support densities beyond the maximum density recommended in the plan without a more detailed development proposal for Lots 15 and 16. Staff recommends that the zoning and preliminary plat approvals specifically note that the density of Lots 15 and 16 shall not exceed 25 units an acre unless higher densities are approved by the Plan Commission based on a specific development proposal. For Lots 17 and 18, staff recommends that the density of future development not exceed the neighborhood development plan's recommendation of 8-15 units an acre. Staff also believes that the future development of Lots 15-18 should reflect the variety of dwelling unit and building types recommended in the amended Mid-Town Neighborhood Development Plan in addition to the density recommendations, and include a strong orientation of the future buildings to the adjacent streets.

## **Conclusion**

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The Planning Division believes that the proposed zoning map amendment and preliminary plat for the Soaring Hawk development should be referred to allow the applicant an opportunity to address the issues raised in the preceding section of this report. As presented, staff does not feel that the proposed development adheres to the land uses and development intensity recommended for the subject site in

the amended Mid-Town Neighborhood Development Plan. Staff also believes that the proposed layout of the subdivision does not reflect the most advantageous layout of the project with respect to the neighborhood plan, and that the project could have negative impacts on the logical development of the abutting US Forest Products Lab property to the east.

During the period created by the proposed referral, the applicant should submit the demolition permit requests for the three residences located on the subject site for formal consideration in conjunction with the current zoning and subdivision approvals if he does not desire to preserve those residences. However, the demolition permits for those residences could be deferred until the final plat stage once the preliminary plat is approved, in part because some or all of the existing buildings could be integrated into the development proposal.

### **Staff Recommendations, Conditions of Approval & General Ordinance Requirements**

Major/Non-Standard Conditions are shaded

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

The Planning Division recommends that the Plan Commission **refer** Zoning Map Amendment 3610-3612, rezoning 901, 953, and 1001 Sugar Maple Lane from Temp. A (Agriculture District) to R2 (Single-Family Residence District), R4 and R5 (General Residence Districts) and the preliminary plat of Soaring Hawk to allow the applicant to revise the preliminary plat to reflect the design modifications discussed in this report.

Should the Plan Commission recommend approval of the zoning map amendment and preliminary plat, staff recommends that approval be subject to input at the public hearing and the following conditions:

1. A 30-foot building line, landscaped buffer, and automobile access restriction shall be established along Valley View Road for the length of proposed Lot 17. Final details of the landscaped buffer shall be approved as part of the land use approvals required prior to construction commencing on that parcel. The following note shall also be included on the final plat: "The 30-foot building setback line and landscaped buffer strip is reserved for the planting and maintenance of trees or shrubs by the owner; the building of buildings hereon is prohibited. Maintenance of the buffer strip is the responsibility of the lot owner."
2. That the density of proposed Lots 15 and 16 not exceed the maximum recommended density of 25 dwelling units an acre in the amended Mid-Town Neighborhood Development Plan.
3. That the density of proposed Lots 17 and 18 not exceed the maximum recommended density of 15 dwelling units an acre in the amended Mid-Town Neighborhood Development Plan.

The following conditions have been submitted by reviewing agencies:

#### **City Engineering Division** (Contact Janet Dailey, 261-9688)

4. The developer's improvements to Mid Town Road in the vicinity of [Besra] Drive shall be sufficient to offset the developer's total share of the required improvements adjacent to the plat.
5. The developer shall construct sidewalk and ditching along Mid Town Road.



6. This plat proposes to discharge the stormwater management area onto lands not controlled by the City of Madison. The developer shall be required to provide measures to fully mitigate this discharge or acquire an easement from the adjacent property to accept the drainage on that land.

7. This plat shall comply with all the stormwater management requirements imposed by the Capitol Area Regional Plan Commission. Additional information is required to determine if additional land dedication is needed to satisfy the requirement.

8. This plat will require off-site gravity sewer and/ or an on-site lift station to serve the development. If an on-site lift station is proposed, additional easements for the lift station and force main may be required. Likewise if off-site gravity sewer is the preferred option, easements from the downstream property owner will need to be acquired at the developer's expense.

9. Revise the plat to provide a 20-foot wide public storm sewer easement across the west line of proposed Lots 29, 30, 31, 32 and 64 for the public main discharging to the stormwater pond.

10. Coordinate the approval of all proposed street names with Lori Zenchenko in the Engineering Mapping Section.

11. The owner shall revise the plat boundary to include only the lands within the City of Madison's corporate boundary. That portion of owner's property located within the Town of Verona that is necessary for the Mid Town Road right of way shall be deeded to the City of Madison yet remain in the Town of Verona jurisdiction.

12. The developer shall enter into a City/Developer agreement for the installation of public improvements required to serve this plat. 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.

13. 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.

14. This development is subject to impact fees for the Lower Badger Mill Creek Impact Fee District for sanitary sewer only. All impact fees are due and payable at the time building permits are issued. The following note shall be put the face of the final plat: "Lots/ buildings within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."

15. The applicant shall dedicate an additional 14 feet of right of way along the Mid Town Road frontage with the final plat.

16. The developer shall construct Madison standard street improvements for all streets within the plat.

17. The developer shall note that City funds for park frontage reimbursement are limited and will be determined at the sole discretion of the City.

18. The developer shall construct sidewalk and 19 feet of a future 38-foot roadway for Woods Road, including curb and gutter on the west side of the road.
19. The developer shall make improvements to Mid Town Road and to Woods Road to facilitate ingress and egress to the plat.
20. The developer shall note that the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat.
21. An erosion control plan and land disturbing activity permit shall be submitted to the City Engineering Division for review and approval prior to grading or any other construction activities. The Pre-construction 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 7.5-tons per acre per year.
22. 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.
23. 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. 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. No building permits shall be issued prior to City Engineering's approval of this plan.

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

*"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."*

24. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2, 10 & 100-year storm events; control 80% TSS (5 micron particle), provide substantial thermal control, and; provide infiltration in accordance with NR-151. Stormwater management plans shall be submitted and approved by the City Engineering Division prior to signoff of the final plat.

25. Effective January 1, 2010, the Department of Commerce's authority to permit commercial sites for stormwater and erosion control has been transferred to the Department of Natural Resources. As this site is greater than one acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. The City of Madison cannot issue an erosion control and stormwater management permit until concurrence is obtained from the WDNR.

26. A minimum of 2 working days prior to requesting City Engineering Division signoff on the final plat, the applicant shall contact Janet Dailey (261-9688) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the subdivision (and subsequent obsolesces of the existing parcel).

27. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering signoff.

28. 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 condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. 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. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. Note: Land tie to two PLS corners required.

29. The applicant shall submit to Eric Pederson, prior to Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the final plat to the Mapping/GIS Section of the Engineering Division. The digital copies shall be submitted in both NAD27 & WIDOT County Coordinate System, Dane County Zone datums in either Auto CAD Version 2001 or older, MicroStation Version J or older or Universal DXF Formats and contain the minimum of the following, each on a separate layer name/level number: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain

boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

\*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.

\*New electronic final plat transmittals and notification of changes which occur to the final plat during the time the Engineering Division signs off and receives the digital copies of said plat and the recording thereof, are the responsibility of the Developer/Surveyor.

30. City of Madison Environmental Projects Staff has reviewed the subject site and determined that a Phase I ESA will not be required of the applicant. If there are any changes in the approved land dedications, the applicant shall notify Brynn Bemis (267-1986) to determine if a Phase I ESA will be required.

**Traffic Engineering Division** (Contact John Leach, 267-8755)

31. The developer shall put the following note on the face of the plat: "All the lots within this subdivision are subject to impact fees that are due and payable at the issuance of building permit(s)." Note: The development may be delayed until the Common Council approves the transportation impacts fees.

32. As part of the submittal of the final plat for this subdivision, the applicant shall prepare and provide a master ped-bike plan for the plat that is consistent with the City's area wide plans and the plat's specific provisions, to be reviewed and approved by the Traffic Engineer. The applicant may need to modify the proposed rights of way to accommodate the ped-bike plan.

33. The applicant shall execute a declaration of conditions and covenants for streetlights and traffic signals prior to sign off of the final plat for recording. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.

34. There shall be an access restriction noted on the face of the final plat of this subdivision as follows: No Access shall be granted along the southerly right of way line Mid Town Road. The applicant shall graphically show the "No Vehicular Access Restriction" on the face of the final plat.

35. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

36. Meet applicable building codes and building setbacks. A property line cannot go through a building without a fire wall down the lot line pursuant to Section 705.1.1 of the International Building Code. It appears that proposed lot lines run thru structures on lots 6, 7, 8 and 9

37. Demolition of principal structures requires a separate application with the Plan Commission.

38. Off-street parking for Lots 15-18 shall comply with Zoning Code Section 28.11.

39. Provide useable open space calculations with details on final plans.

40. Future signage must be approved by the Urban Design Commission and Zoning staff. Sign permits must be issued by the Zoning Section of the Department of Planning and Community & Economic Development prior to installation.

**Parks Division** (Contact Kay Rutledge, 266-4714)

41. The developer shall pay \$74,656.08 in park development fees for the 81 proposed single-family lots. This development is within the Elver Park impact fee district (SI31).

42. The applicant must select a method for payment of park fees before recording of the final plat.

**Fire Department** (Contact Scott Strassburg, 261-9843)

43. The applicant shall work with the City to ensure the proposed street design can accommodate emergency vehicle access.

44. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

**Water Utility** (Contact Dennis Cawley, 261-9243)

45. All public water mains and water service laterals shall be installed by a standard City subdivision contract.

46. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility in accordance with MGO Sec. 13.21. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO Sec. 13.21.

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

This agency did not submit a response for this request.