



PREPARED FOR THE PLAN COMMISSION

Project Address: 1901 Hawks Ridge Drive
Application Type: Preliminary Plat and Final Plat
Legistar File ID # [33915](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicant & Property Owner: Mary Ann & Alex McKenzie; 1910 Hawks Ridge Drive, Suite 322; Madison.

Surveyor: Ron Klaas, D’Onofrio Kottke & Associates; 7530 Westward Way; Madison.

Requested Action: Approval of a preliminary plat and final plat creating create 8 single-family lots and 1 outlot for private open space.

Proposal Summary: The applicant is requesting approval of the “Aspen Grove” subdivision, which calls for 8 street-loaded single-family lots in existing SR-V2 (Suburban Residential–Varied 2 District) zoning. A private outlot for snow storage is shown at the southeastern corner of Hawks Ridge Drive and Mid Town Road. The subdivision will be implemented as soon as all regulatory approvals have been granted, with completion anticipated in 2015.

Applicable Regulations & Standards: The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations.

Review Required By: Plan Commission and Common Council.

Review Schedule: The State’s subdivision statute, Wis. Stats. 236, requires that a preliminary plat be approved, conditionally approved, or rejected (with stated reasons) within 90 days of submittal unless the time is extended by agreement with the applicant. If no action is taken within 90 days and no extension granted, the plat is deemed approved. The proposed preliminary plat application was submitted to the City on April 23, 2014. Therefore, the 90-day review period for this plat is scheduled to expire circa July 23, 2014.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward the preliminary and final plats of Aspen Grove to the Common Council with a recommendation of **approval** subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Parcel Location: An L-shaped 2.17-acre parcel located at the southeastern corner of Mid Town Road and Hawks Ridge Drive; Aldermanic District 1 (Subeck); Madison Metropolitan School District.

Existing Conditions and Land Use: Undeveloped land, zoned SR-V2 (Suburban Residential–Varied 2 District).

Surrounding Land Use and Zoning:

North: Hawks Landing Apartments, zoned PD; Crosswinds at Hawks Landing Condominiums, zoned PD;

South: Single-family lots in the Hawks Ridge Estates subdivision, zoned SR-C1 (Suburban Residential–Consistent 1 District);

West: Aspen Hill Apartments, zoned PD and SR-V2 (Suburban Residential–Varied 2 District);

East: University Ridge Golf Course, zoned PR (Parks & Recreation District); single-family residences fronting Mid Town Road, zoned A (Agricultural District).

Adopted Land Use Plan: The 2010 amendment to the Mid-Town Neighborhood Development Plan recommends the subject site for medium-density residential uses between 16-25 units per acre.

Zoning Summary: The following bulk requirements apply in SR-V2 (Suburban Residential–Varied 2 District):

	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft per lot	All proposed lots will exceed
Lot Width	50'	All proposed lots will exceed
Front yard setback	25'	TBD at permitting
Side yard setback	One story: 5' / two story: 6'	TBD at permitting
Reversed Corner Side yard setback	12'	TBD at permitting
Rear yard	Lesser of 25% lot depth or 30'	TBD at permitting
Maximum lot coverage	60%	TBD at permitting
Maximum building height.	2 stories/35'	TBD at permitting
Usable open space (sq. ft. per unit)	500 sq. ft.	TBD at permitting
Other Critical Zoning Items		
Yes:	Utility Easements (to be established with final plat)	
No:	Urban Design, Wellhead Protection, Floodplain, Landmarks, Waterfront Development, Adjacent to Parkland	
<i>Prepared by: Pat Anderson, Assistant Zoning Administrator</i>		

Environmental Corridor Status: The development site is not located in a mapped environmental corridor (see Map B11). Nearby University Ridge Golf Course is located in a mapped corridor and is shown as public lands, with an area of woodland (80% canopy) shown near the corner of the golf course closest to the subject site.

Public Utilities and Services: The site is located in the Central Urban service Area and will be served by a full range of urban services as it develops, with the exception of Metro Transit, which currently does not provide service west of Muir Field Road and McKee Road (CTH PD) or south of Watts Road and S. Junction Road.

Previous Approvals

On October 18, 2005, the Common Council approved a request to rezone 24.5 acres generally addressed as 9201 Midtown Road from Temp. A (Agriculture District) to R1 (Single-Family Residence District) and R5 (General Residence District) [1966 Zoning Code] and the preliminary plat of “Hawks Ridge Estates,” creating 33 single-family lots, 2 lots for future multi-family development and 1 outlot for public stormwater detention following demolition of a farmhouse on the property. The Common Council approved the final plat of Hawks Ridge Estates on March 21, 2006; the plat was recorded on September 21, 2006. The subject site is Lot 1 of Hawks Ridge Estates, which along with the other multi-family lot of the final plat (Lot 2) was restricted to a combined density of 21.78 units per acre per condition of approval.

October 3, 2006, the Common Council approved a request to rezone Lot 2 of Hawks Ridge Estates from R5 (General Residence District) to PUD-GDP-SIP to allow construction of 156 apartment units and a clubhouse in four buildings and 5 four-unit townhouse buildings. As a condition of this approval, the applicant was required to execute a deed restriction that restricted the number of future dwelling units to be developed on Lot 1 of Hawks Ridge Estates (this site) to the number of units remaining following the transfer of density to Lot 2.

Project Description

The applicant is requesting approval of a subdivision plat to allow a 2.17-acre parcel generally located at the southeastern corner of Mid Town Road and Hawks Ridge Drive to be subdivided into 8 single-family lots. A private outlot for snow storage is proposed adjacent to the intersection. The site is currently zoned SR-V2 (Suburban Residential–Varied 2 District), which allows single-family residences on 50-foot wide and 6,000 square-foot minimum lots as permitted uses.

Three of the proposed lots will front onto Hawks Ridge Drive, while the remaining 5 lots will front onto Silverstone Lane, a local street platted and constructed in the Hawks Ridge Estates subdivision and located one block south of and parallel to Mid Town Road. Silverstone Lane currently ends in a temporary cul-de-sac pending potentially future additional development of 2 single-family properties located along the Mid Town frontage between the subject site and University Ridge Golf Course, which comprises the remaining lands adjoining the Hawks Ridge Estates development. A condition of the subject plat approval by the City Engineering Division recommends that the temporary cul-de-sac constructed with the original plat be made more permanent with this request. In the event that one or both of the neighboring properties to the east should ever further develop, the cul-de-sac on Lot 8 would be eliminated upon the extension of Silverstone Lane to the east.

Analysis & Conclusion

As noted above, the site is recommended in the Mid-Town Neighborhood Development Plan for medium-density residential uses, with a density range of 16-25 units per acre historically applied for such uses in this area. Originally, the subject site was one of two lots in the Hawks Ridge Estates development envisioned for multi-family housing to complement the single-family housing that comprised the remainder of that subdivision. A condition of the 2005 plat approval limited the combined density of the 2 multi-family sites to a maximum of 21.78 units per acre, which coincided with the average density of the former R4 (General Residence) zoning district under the 1966 Zoning Code and the highest base zoning density that coincided with the 16-25 unit per acre density recommendation for medium-density housing in the neighborhood plan. However, as the development of the other multi-family lot located west of the site across Hawks Ridge Drive evolved, the applicant, who developed both the Hawks Ridge Estates subdivisions and neighboring Aspen Hill Apartments, sought to transfer some of the potential density from the subject site to the larger multi-family lot.

The 176-unit project located across Hawks Ridge Drive from the proposed single-family plat has an overall density of 27.5 units per acre. The maximum number of units allowed on the 6.4-acre Lot 2 using the 21.78 unit per acre limitation placed on the 2 multi-family lots at the time of platting was 139, while approximately 48 units were determined to be available for the subject site. The transfer of development density from Lot 1 to Lot 2 left 11 units to be developed on Lot 1 in order for the density of both multi-family parcels to comply with the restrictions placed on those lots at the time of platting ($139+48 = 187$ units allowed– 176 developed on Lot 2 = 11). As a condition of approval for the Aspen Hill Apartments, a restriction was put in place to effectuate the density reduction for the subject site. At the time of the Aspen Hill approval in 2006, the applicant thought that

the 11 allowed units could be implemented through a combination of single- and two-family residences in the former R5 and now SR-V2 zoning of Lot 1.

In reviewing the proposed plat of Aspen Grove, the Planning Division believes that the standards for subdivision approval can be met, and that the proposed plat successfully completes implementation of the Mid-Town Neighborhood Development Plan through the various Hawks Ridge Estates development approvals that have included the subject site since 2005. Staff feels that the 8 single-family lots proposed represents an appropriate infill development of the subject site.

Recommendation

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

The Planning Division recommends that the Plan Commission forward the preliminary plat and final plat of Aspen Grove at 1901 Hawks Ridge Drive to the Common Council with a recommendation of **approval** subject to input at the public hearing and the following conditions:

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

1. To reflect the letter of intent, a note shall be included on the face of the final plat that states that the use of Lots 1-8 is restricted to single-family detached residences.
2. The applicant shall submit to the Planning Division two copies of the private subdivision covenants, conditions and restrictions that govern the organizational structure, use, maintenance and continued protection of the development and any common services, open areas or other facilities to serve the proposed subdivision. These documents shall be approved by the Planning Division in consultation with the City Attorney's Office prior to final approval of the plat for recording.

The following conditions of approval have been submitted by reviewing agencies:

City Engineering Division (Contact Janet Schmidt, 261-9688)

3. Coordinate with Planning and/or Zoning to address the notes on the plat of Hawks Ridge Estates regarding inclusionary zoning and the Land Use Restriction per Document No. 4243532. Complete and record any waivers, releases or other necessary documents required to facilitate this proposed subdivision.
4. The final plat shall be referenced to the Wisconsin County Coordinate System.
5. The width south from the section line of Mid Town Road is 47 feet and not 40 feet as dimensioned.
6. The developer shall release the existing temporary limited easement for turnaround purposes and dedicate a new permanent limited easement for turnaround purposes. This easement shall terminate automatically upon the extension of Silverstone Lane. Modify the easement to provide for a 100-foot reverse curve on the north side of Silverstone Lane.
7. The developer shall reconstruct the temporary turn around as a cul-de-sac with curb, gutter, sidewalk and permanent pavement, which will allow for a more functional lot layout.

8. Sanitary service to Lots 1-3 shall not be allowed via a back yard public main. Installation of new sewer main on Hawks Ridge Drive may require reconstruction of portions of the public street. If new sewer easement across Lots 2, 7 and 8 is allowed, then remove note 3 on page 2.
9. Provide a proposed utility design for further comments and or easement requirements prior to final sign off of the plat for recording.

10. 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.

11. 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.

12. 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 Preconstruction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. The applicant shall demonstrate compliance with MGO Sections 37.07 and 37.08 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.

13. 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.

14. 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. Note: It is required that this plan shall be stamped by and Registered Land Surveyor.

The following note shall accompany the master stormwater 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. No building permits shall be issued prior to the City Engineering Division's approval of this plan."

15. 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; control 80% TSS (5 micron particle) off of new paved surfaces; provide infiltration in accordance with Chapter 37 of Madison General Ordinances; provide substantial thermal control, 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 of MGO.
16. Effective January 1, 2010, the Wisconsin Department of Commerce's authority to permit commercial sites for stormwater and erosion control has been transferred to the Wisconsin Department of Natural Resources (WDNR). 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 WDNR prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt of the WDNR at 273-5612 to discuss this requirement. The City of Madison cannot issue an erosion control and stormwater management permit until concurrence is obtained from the WDNR.
17. A minimum of 2 working days prior to requesting City Engineering signoff on the plat, the applicant shall contact Janet Schmidt (261-9688) 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).
18. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.

19. 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 Janet Schmidt (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
20. 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. Note: Land tie to two PLS corners required.
21. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone 1997 Coordinates 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.
22. 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.

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

23. A streetlight declaration of conditions and covenant shall be executed and returned prior to final signoff of the plat. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.
24. Utility easements shall be provided on the final plat along the easterly 10 feet of Lot 8. The applicant shall show a detail drawing of the 12-foot utility easement dimensions and lot lines on the face of the final plat.
25. 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)

26. Provide building envelopes on Lots 2, 7 and 8 to assure that side yard setbacks match proposed easements.

Fire Department (Contact Bill Sullivan, 261-9658)

27. 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)."

Water Utility (Contact Dennis Cawley, 261-9243)

28. Each lot shall have a separate water service lateral connected to a public water main. All water service laterals shall be installed by 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.

29. 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.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.

Parks Division (Contact Kay Rutledge, 266-4714)

30. 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. The developer must select a method for payment of park fees before signoff on the final plat for recording. This development is within the Elver park impact fee district (SI31). Please reference ID# 06101.4 when contacting Parks Division staff about this project.

31. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right of way. Permission for such activities must be obtained from the City Forester, 266-4816.

Office of Real Estate Services (Jenny Frese, 267-8719)

32. Prior to requesting final sign-off, executed signature block certifications shall be included for all parties of interest, pursuant to Wis. Stats. 236.21(2)(a). The title of each certificate on the final plat shall be consistent with the ownership interest reported in the most recent title report. Signatories shall provide documentation that proves legal authority to sign the Owner's Certificate.

33. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to final CSM sign-off.

34. Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes and special assessments that are accrued or delinquent for the subject property prior to CSM

recording. As of June 2, 2014, the 2013 real estate taxes are paid for the subject property and there are no special assessments reported.

35. Prior to final CSM sign-off, please verify with Janet Schmidt of the City Engineering Division (261-9688) or Sharon Ponders at the Water Utility (266-4641) that stormwater management fees are paid in full.

36. The final plat shall be revised prior to recording as follows:

- a.) Insert "See Notes" on the labels for the public sanitary sewer easements created by the plat.
- b.) Include the description of Document No. 4243532 under Note #1 on Sheet 2 of the plat.
- c.) Include the following sentence with the dedicated utility easements depiction in the legend: "Utility Easements as herein set forth are for the use of public bodies, as well as private utilities having the right to serve the area."