

**PLANNING UNIT REPORT**  
**DEPARTMENT OF PLANNING AND DEVELOPMENT**  
**June 20, 2005**

**RE: ID #01344: Approval of the final plat of "Owl Creek Subdivision"**

1. Requested Actions: Approval of final plat creating lots 69 single-family lots, 15 two-family lots, four lots for four-unit townhomes, and outlots for future development, public parkland and stormwater detention.
2. Applicable Regulations: The subdivision process is outlined in Section 16.23 (5)(b) of the Subdivision Regulations.
3. Report Drafted By: Timothy M. Parks, Planner

**GENERAL INFORMATION**

1. Applicant & Property owner: The Nelson Group; 2134 Atwood Avenue; Madison, Wisconsin 53704; Doug Nelson; representative.  
  
Surveyor: Burse Surveying & Engineering, Inc.; 1400 E. Washington Avenue, Suite 158; Madison, Wisconsin 53703
2. Development Schedule: Development of the subdivision will commence in summer 2005.
3. Parcel Location: Approximately 38.9 acres located at the northern terminus of Valor Way, the eastern terminus of Meinders Road in the Village of McFarland, on the west side of Owl Creek Drive and Tormey Lane, and approximately a quarter-mile south of Voges Road in Aldermanic District 16; Madison Metropolitan School District.
4. Existing Conditions: Undeveloped lands located in the City of Madison in R2S (Single-Family Residence District), R3 (Single and Two-Family Residence District) and R4 (General Residence District) zoning.
5. Proposed Land Use: 69 single-family lots, zoned R2S; 30 two-family units, zoned R3; 16 townhouse units in four four-unit buildings, zoned R4, and 9.2 acres of the neighborhood park and stormwater detention areas. An additional outlot located on the north side of Horned Owl Drive will be reserved by the developer for future development pending resolution of a wetland issue.
6. Surrounding Land Use and Zoning:  
North: Undeveloped lands, zoned W (Wetlands District) and A (Agriculture);  
South: Undeveloped lands, zoned A; Liberty Place subdivision, zoned R2 and R2T (Single-Family Residence Districts)  
West: Industrial lands (auto salvage, refinery, warehousing) in the Village of McFarland;

East: Owl Creek four-unit townhomes, zoned R4 (General Residence District); undeveloped lands, zoned W.

7. Adopted Land Use Plan: The Marsh Road Neighborhood Development Plan recommends "low density residential" for all but the northern tier of the property, which calls for "parks and drainageway" uses.
8. Environmental Corridor Status: An environmental corridor corresponding to delineated wetlands has been identified in the northwestern corner of the subject site. The same corridor and wetlands also touch the southeastern corner of the site adjacent to the Liberty Place subdivision. The northwestern area will be dedicated to the City as parkland and stormwater detention. There are no other environmental corridors on the site.
9. Public Utilities & Services: The property will be served by a full range of urban services.

#### **STANDARDS FOR REVIEW**

This application is subject to the standards for final plats.

#### **PREVIOUS CASE**

On May 17, 2005, the Common Council approved the applicant's request to rezone the subject property located at 4949 Meinders Road from Temp. A (Agriculture District) to R2S (Single-Family Residence District), R3 (Single and Two-Family Residence District) and R4 (General Residence District) and approval of a preliminary plat proposing 73 single-family lots, 16 two-family lots, four lots for four-unit townhomes, and outlots for public parkland and stormwater detention.

#### **FINAL PLAT REVIEW**

The applicants are requesting approval of a final plat creating 69 single-family lots in R2S zoning, 15 two-family lots in R3 zoning and four lots in R4 zoning for four-unit townhomes. The final plat will permit development of 115 dwelling units and include one outlot for public parkland and three outlots for stormwater detention. The plat also creates a fifth outlot located on the north side of Horned Owl Drive that will be reserved by the developer for future development pending correction of the wetland boundary, which projects south from the majority wetlands that characterize the northern tier of the site.

The site is addressed 4949 Meinders Road although the property also has frontage along Owl Creek Drive and Tormey Lane on the east. Meinders Road is a partially improved public street in the Village McFarland with approximately 30 feet of pavement. The majority of the site is undeveloped with the exception of four single-family residences. Two of the residences are located on the western edge of the site on either side of Meinders Road, which currently extends onto the site as a private gravel driveway. The other two residences located on the northeastern portion of the site fronting Owl Creek Drive and Tormey Lane. All four residences will remain

following the development of the subdivision, although the eastern two will be demolished at some time in the future to accommodate the future four-unit townhomes proposed for those lots.

Access to the proposed subdivision will be provided by the extension of Meinders Road from west to east across the site as a public street, and by the extension of two east-west residential streets into the site from Owl Creek Drive. The southern of these two accesses from the east will cross a narrow strip of the adjacent Peterson property that borders the site to the south and east of the project. The development also proposes the extension of Valor Way northerly from its current terminus in the Liberty Place subdivision. A residential street extending east from Valor Way will provide for a southern approach for future development on the Peterson parcel.

The four R4 lots will be located along the eastern frontage of the subdivision opposite four similar four-unit buildings on the east side of Owl Creek Drive. The lots have been laid out in a fashion that will permit the two existing single-family homes on the eastern portion of the site to remain for the time being. The four-unit lots will range in size in area from 11,590 square feet to 17,477 square feet, with all four lots exceeding the 8,000 square feet of lot area required for a four-unit building in R4 zoning (2,000 square feet per unit).

The 15 two-family lots will be located to the west of the proposed four-unit lots on both sides of proposed Horned Owl Drive and Great Gray Drive and will be zoned R3. The block bounded by proposed Horned Owl Drive, Great Gray Drive, Snowy Owl Lane and Owl Creek Drive will consist entirely of two and four-unit residential lots, with the remaining six two-family lots located three each on the north side of Horned Owl Drive and the south side of Great Gray Drive. The proposed two-family lots will range in size from 9,423 square feet to 12,616 square feet, with all of the lots exceeding the 8,000 square feet of lot area required in R3 zoning for a two-family unit (4,000 square feet per unit).

The remainder of the lots proposed in the subdivision will be single-family lots in R2S zoning. The average lot area of the 69 single-family lots is approximately 9,100 square feet, with all lots exceeding the 4,000 square feet of lot area required in R2S zoning.

In addition, four outlots will be dedicated to the City with this development, including a 2.8-acre tract in the northwestern quadrant of the site that will be dedicated to the City as parkland. The parkland outlot includes most of a prominent ridge that defines this portion of the site as well as a majority of the mature trees located on the northern half of the site. The parkland will have access from a cul-de-sac at the western end of Horned Owl Drive. A 15-foot wide peninsula extending south to Great Gray Drive is also attached to the parkland tract to provide for a future walkway connection. The three outlots proposed for stormwater management will include the wetlands located along the northern tier of the property as well as two smaller detention facilities that will be located in the southwestern and southeastern corners of the subdivision.

The delineated wetlands affecting the development are primarily located north of the proposed public parkland and in the northern stormwater management tract, though the edges of the wetland and the required 75-foot wetland setback dip south into an area that was identified on the preliminary plat for three single-family lots and one two-family lot. As a result of this encroachment, the applicant proposes to create a fifth outlot that will be held by the developer for

future subdivision. At this time, the applicant proposes to relocate this appendage of the majority wetland through his stormwater management plans, which will include a mitigation plan approved the City Engineer's Office and Wisconsin Department of Natural Resources. Should the mitigation plan be approved and the limits of the wetland modified to remove or reduce the appendage to the satisfaction of the City and State, the applicant will be able to proceed with a Certified Survey Map to create these four lots per the approved preliminary plat.

The applicant submitted an Inclusionary Dwelling Unit Plan (IDUP) with the preliminary plat indicating that 11 of the 72 total single-family units, five of the 32 two-family units and three of the 16 four-unit dwellings proposed will be constructed to meet the affordability criteria. The IDUP indicates that all 120 units in the subdivision will be three-bedroom units, and that all of the units will be owner-occupied. The project was granted non-City provision of street landscape planting at the time of preliminary plat approval subject to the approval of the incentive by the Parks Division.

The applicant has submitted a revised lot dispersion plan with the final plat that complies with conditions of approval on the preliminary plat. Those conditions required relocation of one affordable dwelling unit from the southern half of the development to the northern half, and that two single-family lots be designated at the 70% AMI level. Prior to the recording of the final plat, the applicant will be required work with the Community Development Block Grant Office to execute land use restrictions on each affordable lot and provide the City with options to purchase the affordable dwelling units upon future sales.

In conclusion, the Planning Unit finds the final plat to be in substantial conformance with the approved preliminary plat. An application rezoning the proposed public lands on the northern tier of the subdivision that was a condition of approval for the preliminary plat will be considered by the Plan Commission on July 18, 2005.

### **RECOMMENDATION**

The Planning Unit recommends that the Plan Commission forward the final plat of Owl Creek Subdivision to the Common Council with a recommendation of **approval**, subject to the following condition(s):

1. Comments from reviewing agencies.
2. That the note for Outlot 1 be revised to state: *"Reserved for future development per the approved preliminary plat: three single-family lots and one two-family lot. Approval of the land division shall be subject to prior approval of a letter of compliance from the Department of Natural Resources regarding resolution of the wetland boundary issue."*
3. That the applicant receive approval of an application to rezone the proposed public parkland and stormwater management outlots along the northern tier of the property to Conservancy zoning prior to recording the final plat.



Department of Public Works  
**City Engineering Division**

608 266 4751

Larry D. Nelson, P.E.  
City Engineer

City-County Building, Room 115  
210 Martin Luther King, Jr. Boulevard  
Madison, Wisconsin 53703  
608 264 9275 FAX  
608 267 8677 TDD

**Deputy City Engineer**  
Robert F. Phillips, P.E.

**Principal Engineers**  
Michael R. Dailey, P.E.  
David L. Benzschawel, P.E.  
Christina M. Bachmann, P.E.  
John S. Fahrney, P.E.

**Operations Supervisor**  
Kathleen M. Cryan

**Hydrogeologist**  
Joseph L. DeMorett, P.G.

**GIS Manager**  
David A. Davis, R.L.S.

DATE: June 13, 2005

TO: Plan Commission

FROM: Larry D. Nelson, P.E., City Engineer

SUBJECT: Owls Creek Revised Final Plat

The City Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. Change Crested Owl Pass. It has too many letters/spaces for a standard street name sign. Suggest changing "Pass" to a suffix that can be abbreviated, such as drive (dr), street (st), lane (ln), place (pl), road (rd). "Great Grey Drive" street name may prove a problem for residents. A name substitution is recommended.
2. All lots adjacent to the proposed greenway/stormwater management areas shall have rear lot corners at elevation 15.00 or higher. The plat or a recorded deed restriction shall provide for no grading or structures below this elevation. This restriction may require significant filling of Lots 1 through 8 and portions of proposed Street "B".
3. The stormwater requirements for this development include 80% total, suspended solids control, infiltration in accordance with NR-151, and detention of the 1 + 10 year storm events.
4. There may be an issue with sanitary sewer service for Lots 81-96. The sanitary sewer on Valor Way does not have adequate clearance to cross Koch pipeline. The bottom of the pipe has an elevation of 12.7 and the City sewer has an invert of 10.15. Koch pipe requires 2 feet of clearance. The City sewer is an 8-inch main as is the Koch pipeline. If Koch will not permit crossing, the applicant shall propose alternate route for sanitary sewer service. Koch pipeline contact is Marvin DeJear (651) 458-4876.
5. Provide a 75-foot buffer/setback to platted lot lines from the delineated wetland line (environmental corridor).
6. Prior to approval, provide wetland delineation report and letter of concurrence from WDNR.
7. Prior to approval, and in conjunction with 4.12 above provide design for Outlot 5. If discharge is to the south, this may require plat alterations or construction beyond the plat limits.
8. The new plat shows the limits per comment No. 6 but we shall still need copy of the delineation report and DNR letter of concurrence.

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9. Explain the intent of the 30-foot wide public storm water easement behind Lots 82 through 87, and the 20-foot wide beside Lot 88.
10. Future development of Outlot 1 shall be dependent on obtaining permit to fill wetlands or obtaining approval to adjust wetland setback boundary in conjunction with an approved storm water management plan, or a combination of both these strategies.

**GENERAL OR STANDARD REVIEW COMMENTS**

In addition, we offer the following General or Standard Review Comments:

**Engineering Division Review of Plats (Pre-Preliminary, Preliminary, Final) and Certified Survey Maps**

Name: Owls Creek Revised Final Plat

**General**

- 1.1 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/csm without the agreement executed by the developer.
- 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.

**Right of Way / Easements**

- 2.1 The Applicant shall Dedicate a \_\_\_\_\_ foot wide strip of Right of Way along \_\_\_\_\_.
- 2.2 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping \_\_\_\_\_ feet wide along \_\_\_\_\_.
- 2.3 It is anticipated that the improvements on [roadway name] \_\_\_\_\_ required to facilitate ingress and egress to the plat/csm will require additional right of way and/or grading easements located outside the plat/csm boundary. The developer shall acquire the right of way and/or sloping easements as required by the City at the developer's expense. 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.
- 2.4 The Developer shall petition for the street vacation of (roadway name) \_\_\_\_\_ and provide a legal description and sketch of the right of way to be vacated after consultation with the City Engineer.

**Are the following requirements met?**

- \* Streets Intersect at right angles.
- \* A 15 foot minimum tangent at intersections from PC of curve to property line.
- \* Arterial intersection spacing generally greater than 1200 feet.
- \* Jogs are avoided at intersections. Arterial streets shall be adjusted to align if spacing less than 300 feet.
- \* Spacing of intersections on local streets shall be greater than 300 feet.
- \* Cul-de-sacs shall be less than 1000 feet long.
- \* 100 foot tangents between curves.

- 2.5 \_\_\_\_\_
- 2.6 Property lines at intersections shall be rounded with a 15 foot radius on \_\_\_\_\_
- 2.7 Property lines at intersections shall be rounded with a 25 foot radius on \_\_\_\_\_

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- 2.8 The right of way width on \_\_\_\_\_ shall be \_\_\_\_\_ feet, on \_\_\_\_\_ shall be \_\_\_\_\_ feet and on \_\_\_\_\_ shall be \_\_\_\_\_ feet.
- 2.9 \_\_\_\_\_ shall have a minimum centerline radius of \_\_\_\_\_ feet and \_\_\_\_\_ shall have a minimum centerline radius of \_\_\_\_\_ feet.
- 2.10 The cul-de-sac on \_\_\_\_\_ shall have a minimum radius of \_\_\_\_\_ feet with a minimum reverse curve radius of \_\_\_\_\_ feet.
- 2.11 The plat/csm shall show a temporary limited easement for a temporary cul-de-sac on \_\_\_\_\_ having a radius of \_\_\_\_\_ feet and a reverse curve radius of \_\_\_\_\_ feet. The easement(s) shall expire when the streets are extended.
- 2.12 The developer shall show on the plat/csm a 40 foot utility easement adjacent to [roadway name] \_\_\_\_\_. The easement wording shall be approved by the City Engineer. The intent of the easement is to allow for the relocation of a major transmission line. The actual poles would remain on the right of way however major transmission lines require an easement beyond the space occupied by the poles for safety.
- 2.13 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.14 The Developer shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement \_\_\_\_\_ feet wide from \_\_\_\_\_ to \_\_\_\_\_.
- 2.15 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from \_\_\_\_\_ to \_\_\_\_\_. The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.

**Streets and Sidewalks**

- 3.1 The Developer shall construct Madison Standard street improvements for all streets within the plat/csm.
- 3.2 The developer shall show a 30 40 (*Strike one, 30 collector, 40 Arterial*) foot building setback line on the plat/csm adjacent to [Roadway Name] \_\_\_\_\_ for all lots in the plat/csm adjacent to said roadway.
- Note: No buffer strip shall be dedicated to the City as the City does not want the maintenance.*
- 3.3 Extensive grading may be required due to steep roadway grades.
- 3.4 The developer shall note that City funds for park frontage are limited and will be determined at the sole discretion of the City.
- 3.5 The developer shall construct sidewalk and record a waiver of their right to notice and hearings for the assessments for the improvement of [roadway] \_\_\_\_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO. Said sidewalk constructed in front of and waiver recorded to Lot(s) \_\_\_\_\_.
- 3.6 The Developer shall make the following improvement to [Roadway Name] \_\_\_\_\_. The Developer shall construct sidewalk and \_\_\_\_\_ feet of a future \_\_\_\_\_ foot roadway including curb and gutter on the \_\_\_\_\_ side of the roadway.
- 3.7 The Developer shall construct sidewalk to a plan approved by the City Engineer and complete ditching as required by the City Engineer along [Roadway Name] \_\_\_\_\_.
- 3.8 The Developer shall grade the right of way line to a grade established by the City Engineer and complete ditching along the roadway as specified by the city engineer along [Roadway Name] \_\_\_\_\_.
- 3.9 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along \_\_\_\_\_. (*Also require the City / Developer agreement line 1.1*)
- 3.10 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along \_\_\_\_\_. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.

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- 3.11 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] \_\_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and section 4.09 of the MGO.
- 3.12 The Applicant shall grade the property line along \_\_\_\_\_ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development.
- 3.13 Developer shall make improvements to [Roadway Name] \_\_\_\_\_ considered temporary to facilitate ingress and egress to the plat/csm until such time as the ultimate improvement of the roadway is undertaken by the city.
- 3.14 The Developer shall make improvements to [Roadway Name] \_\_\_\_\_ to facilitate ingress and egress to the plat/csm.

[Select one of the below comments for either of the above or leave general]

- The above improvement will consist of acceleration and deceleration tapers.
- The above improvement consists of rights turn lanes.
- The above improvement will consist of passing lanes.
- The above improvement will consist of median openings.
- Caution – The improvements indicated above may require right of way outside of the plat/csm. See comment 2.3 to require additional right of way for this purpose.*
- 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.
- 3.16 The developer shall confirm that adequate sight distance exists on \_\_\_\_\_ 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.

#### Storm Water Management

- 4.1 An erosion control plan and land disturbing activity permit 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 7.5-tons per acre per year.
- 4.2 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.
- 4.3 Arrows shall be added to the certified survey map indicating the direction of drainage for each property line not fronting on a public street. In addition, the certified survey map shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the certified survey map.
  - a. Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.
  - b. All lots within this certified survey 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 certified survey. 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 certified survey. 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.

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- 4.4 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.

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.

- 4.5 If the lots within this certified survey map are inter-dependent upon one another for storm water runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the certified survey map and recorded at the Dane Co Register of Deeds.
- 4.6 The following note shall be added to the certified survey map. "All lots created by this certified survey map are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to storm water detention at the time they develop."
- 4.7 This plat/csm could affect a flood plain, wetland or other sensitive areas. As such, it shall be reviewed by the Commission on the Environment. Contact Mike Dailey at 266-4058 for further details. The proposed plat/csm may be considered a major change to the environmental corridor and be subject to a public hearing and approval of the Dane County Regional Plan Commission.
- 4.8 A portion of this plat/csm may come under the jurisdiction of the US Army Corp of Engineers and Wisconsin Department of Natural Resources for wetland or flood plain issues or navigable waterway. A permit for those matters may be required prior to construction on any of the lots currently within the plat/csm. Contact the WDNR & USACOE for a jurisdictional determination.
- 4.9 Prior to recording, this plat/csm shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Contact Greg Fries at 267-1199 to discuss these requirements.
- 4.10 This site is greater than one (1) acre and the applicant is required by State Statute to obtain a Notice of Intent Permit (NOI) from the Wisconsin Department of Natural Resources. Contact Jim Bertolacini of the WDNR at 275-3201 to discuss this requirement.
- 4.11 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

**Sanitary Sewer**

- 5.1 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
- 5.2 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 5.3 This land division contains or is adjacent to facilities of MMSD. Prior to approval, applicant shall provide evidence that MMSD has reviewed and approved the proposed land division.

**Mapping / Land Records**

- 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 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

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Applicant shall identify monument types on all PLS corners included on the Plat or CSM. **Note: Land tie to two PLS corners required.**

- 6.2 In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference **City of Madison NAD 1927 Coordinates** on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. City of Madison has established NAD 1927 Coordinates on all PLS corners within its corporate boundary. Visit the City of Madison Engineering Division web address [http://gis.ci.madison.wi.us/Madison\\_PLSS/PLSS\\_TieSheets.html](http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html) for current tie sheets and control data. If a surveyor encounters an area without a published NAD 1927 value, contact Engineering Division for this information.
- 6.3. 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/CSM** 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:**
- 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 than the required submittals to Bob Arseneau for design purposes.
- NOTE: 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.
- 6.4 In accordance with Section s.236.34(1) (c) which says a CSM shall be prepared in accordance with s.236.20(2) (c) & (f), Wisconsin Statutes, the Applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (site Register of Deeds recording data) and easements which are being conveyed by the Plat/CSM. Identify the owner and/or benefiting interest of all easements.

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Department of Public Works  
**Parks Division**

Madison Municipal Building, Room 120  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2987  
Madison, Wisconsin 53701-2987  
PH: 608 266 4711  
TDD: 608 267 4980  
FAX: 608 267 1162

June 14, 2005

TO: Plan Commission  
FROM: Simon Widstrand, Parks Development Manager  
SUBJECT: Owl Creek Final Plat

*S.W.*

1. The reconfiguration of outlet 3 for parkland meets the park dedication requirement and protects the most valuable trees in the wooded area.
2. A park development fee of \$82,070.01 will be required at final plat approval.
3. Utility easements shall not be allowed across parkland or along the boundary of outlet 3 without prior approval of the Parks Division.
4. When developing lots near the boundary of outlet 3, the developer shall protect park tree root zones during construction.

Dedication / Fee Calculations

Plat includes 65 (69 lots minus 4 existing) new single family units + 30 duplex units + 16 multifamily units. Dedication = (95 @ 1100 square feet) + (16 @ 700 square feet) = 115,700 square feet.

The Park Development Fee is  $(95 @ \$779.50) + (16 @ \$501.11) = \$82,070.01$

TOTAL PARK FEES ARE ESTIMATED AT \$82,070.01

Half of the fees shall be paid prior to signoff on the Final Plat, with a letter of credit provided to cover the other half. Or fee payments may be phased with plat construction phases.

If you have questions regarding the above items, please contact Simon Widstrand at 266-4714 or [awidstrand@cityofmadison.com](mailto:awidstrand@cityofmadison.com)



**Traffic Engineering Division**

David C. Dryer, City Traffic Engineer

Madison Municipal Building  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2986  
Madison, Wisconsin 53701-2986  
PH 608/266-4761  
TTY 608/267-9623  
FAX 608/267-1158

May 27, 2005  
June 9, 2005

TO: Plan Commission  
FROM: David C. Dryer, P.E., City Traffic Engineer  
SUBJECT: **4949 Meinders Road – Final Plat – Owl Creek Subdivision**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

- 1. This report is on revised final plat submitted June 9, 2005. The following is revised Utility easements required for the final plat. The applicant shall revise utility easements accordingly as noted in comment 3.

**GENERAL OR STANDARD REVIEW COMMENTS**

In addition, we offer the following General or Standard Review Comments:

- 2. The applicant shall execute and return the attached declaration of conditions and covenants for street lights & traffic signals prior to sign off.
- 3. Utility easements shall be provided as follows:

Between Lots	Between Lots	Between Lots
6 & 7	47 & 48	
24 & 25	53 & 54	
23 & 24	55 & 56	
26 & 27	59 & 60	
29 & 40	69 & 70	
31 & 32	72 & 73	
34 & 35	77 & 79	
43 & 44	81 & OL 5	

- 4. The applicant shall show a detail drawing of the 12 ft. utility easement dimensions and lot lines on the face of the plat.

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5. The plat may include special design traffic calming on the street design for which the developer shall be responsible. The applicant shall contact Traffic Engineering prior to submittal of final plat review to accommodate traffic calming design.
6. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact Dan J. McCormick, P.E., City Traffic Engineering at 266-4761 if you have questions regarding the above items.

Contact Person: Doug Nelson  
Fax: 244-0205  
Email: [doug@thenelsongroup.ort](mailto:doug@thenelsongroup.ort)

DCD:DJM:dm

**CITY OF MADISON  
INTERDEPARTMENTAL  
CORRESPONDENCE**

**Date:** May 14, 2005

**To:** Bill Roberts, Planner III

**From:** Kathy Voeck, Assistant Zoning Administrator

**Subject:** OWL'S CREEK SUBDIVISION FINAL PLAT, 4949 Meinders Rd.

**Present Zoning District:** R2S, R-3, and R-4

**Proposed Use:** 73 single family lots, 16 duplex lots and 4 (four unit) lots

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project).

**GENERAL OR STANDARD REVIEW COMMENTS – Same comments as on Preliminary Plat**

1. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit to Zoning, a copy of the approved plan for recording prior to zoning sign off of the plat.
2. Put a note on the plat at the buildings to be removed. **Buildings that will remain shall be shown with setbacks from the property lines that meet the setbacks** for the zoning district that they will be located in. **Buildings that may be made nonconforming with the creation of the plat need to be addressed, ie moving a lot line, variance, moving or removal.**
3. The following lots, including but not limited to, may not meet grades that provide the required usable open space (Lots 35, 41, 50, 51, 58, 59, 60, 79 and 80). **Provide a grading plan of the plat to show that usable open space requirements can be met** on all of the lots in the amount of 800 square feet per lot for the R-2S, 750 square feet per lot for the R-3 and 500 square feet per unit for the R-4. Usable open space shall be in a compact area of not less than 200 square feet, having no dimensions less than 10 feet and having a slope no greater than 10 percent. The front yard and street side yards do not count toward usable open space.

**OWL CREEK PLAT**

**May 14, 2005**

**Page 2**

**R-2S ZONING CRITERIA**

<b>Bulk Requirements</b>	<b>Required</b>	<b>Proposed</b>
Lot Area	4,000 sq. ft.	adequate
Lot width	40'	adequate
Usable open space	800 sq. ft. per unit	(3)
Front yard	18' or 15' (dep. on loc of gar)	
Side yards	5' each side	
Rear yard	20'	
Building height	2 stories/35'	

<b>Site Design</b>	<b>Required</b>	<b>Proposed</b>
Number parking stalls	1 per unit	

**R-3 ZONING CRITERIA**

<b>Bulk Requirements</b>	<b>Required</b>	<b>Proposed</b>
Lot Area	4,000 per unit, min. 6,000 s.f.	9,423 sq. ft. +
Lot width	50'	adequate
Usable open space	750 s.f. per unit	(3)
Front yard	25'	
Side yards	5' 1 st., 6' 2 st.	
Rear yard	40'	
Building height	2 stories/35'	

<b>Site Design</b>	<b>Required</b>	<b>Proposed</b>
Number parking stalls	depends on # bdrms per unit	

**R-4 ZONING CRITERIA**

<b>Bulk Requirements</b>	<b>Required</b>	<b>Proposed</b>
Lot Area	2,000 per unit up to 2 bdrms, Min. 6,000 sq. ft.	11,590 sq. ft. +
Lot width	50'	adequate
Usable open space	500 sq. ft. per unit	(3)
Front yard	25'	
Side yards	Dep. on # of units in bldg.	
Rear yard	35'	
Building height	2 st/35', 3 stories for PRD	

Owl Creek Plat  
 4949 Meinders Rd  
 May 14, 2005  
 Page 3

Site Design	Required	Proposed
Number parking stalls	Dep. on # bdrms per unit	
Accessible stalls	Yes, if not townhouse	
Loading	Dep. on size of buildings	
Number bike parking stalls	1 per unit	
Landscaping	Yes	
Lighting	Yes	

Other Critical Zoning Items	
Urban Design	no (unless project is PRD, then yes)
Historic District	no
Landmark building	no
Flood plain	no
Utility easements	yes
Water front development	no
Adjacent to park	no
Barrier free (ILHR 69)	no

With the above conditions, the proposed project **does** comply with all of the above requirements.



**CITY OF MADISON  
MADISON WATER UTILITY  
523 E. MAIN ST.  
266-4651**

**MEMORANDUM**

**Date:** May 4, 2005

**To:** Bill Roberts - Planning & Development  
**From:** Dennis M. Cawley, Engineer IV - Water Utility  
**Subject:** FINAL PLAT – Owls Creek Subdivision – 4949 Meinders Road

The Madison Water Utility has reviewed this final plat and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS**

None

**GENERAL OR STANDARD REVIEW COMMENTS**

All public water mains and water service laterals shall be installed by standard City of Madison subdivision contract. All private wells shall be abandoned or permitted in accordance with Madison General Ordinance 13.21.

The Water Utility will not need to sign off the final plans, but will need a copy of the approved plans.

Dennis M. Cawley

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