



## Report to the Plan Commission

May 15, 2009

Legistar I.D. #14302 and 14700  
12002 Old Sauk Road  
Rezoning and Preliminary Plat

Report Prepared By:  
Heather Stouder, AICP  
Planning Division Staff

**Requested Action:** Approval of a rezoning from Agriculture to R1 (Single Family Residential) District and a Preliminary Plat to allow for the creation of two lots for the future development of a school, twelve lots for future residential development, and three outlots.

**Applicable Regulations & Standards:** Section 28.12 (10) provides the process for zoning map amendments. The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Ordinance.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the rezoning and subdivision standards can be met and forward the rezoning and Preliminary Plat request to the June 2, 2009 meeting of the Common Council with a recommendation of **approval** subject to input at the public hearing and conditions from reviewing agencies.

### Background Information

**Applicant/Property Owner:** Middleton-Cross Plains Area School District, 7106 S Ave., Middleton, 53562  
**Agent/Contact:** Travis Schreiber, Vierbicher Associates, 999 Fourier Dr. #201, Madison, 53717

**Proposal:** The applicant proposes a rezoning from A (Agriculture) District to R1 (Single Family Residence) District and a subdivision of the property for "Pope Farm Estates", which would include a total of fourteen (14) lots for development of an elementary school, a potential future middle school, twelve single-family homes, and three outlots.

**Parcel Location:** 12002 Old Sauk Road is a 39.45-acre parcel generally located between Blackhawk Road and Old Sauk Road at the terminus of Schewe Road, immediately west of the Blackhawk Neighborhood; Aldermanic District 9 (Skidmore); Middleton-Cross Plains Area School District.

**Existing Conditions:** The site is currently undeveloped and zoned A (Agriculture).

### Surrounding Land Use and Zoning:

**North:** Rural residential lots in the Town of Middleton are just north of the property. Across Blackhawk Road to the north, scattered rural residential lots and undeveloped land with scattered woodlands, all in Dane County's A-1 (Agriculture) district.

**East:** Single-family homes and undeveloped residential lots in the City of Madison's Blackhawk Neighborhood, in the R1 (Single family residential) zoning district.

**South:** Southeast of this property and just north of Old Sauk Road are three rural properties in the Town of Middleton within a mix of rural residential, limited commercial, and agricultural zoning districts. Across Old Sauk Road to the south, the Middleton Community Church and one rural residence are in the City of Madison's A (Agriculture) District. The Comprehensive Plan recommends low-density residential land use for this area.

**West:** Pope Farm Park, undeveloped land owned by the Town of Middleton in Dane County's A-1 (Agriculture) District.

**Adopted Land Use Plan:** The Comprehensive Plan identifies this area for Low Density Residential Uses, which includes schools and other small civic facilities, parks, community gardens, and other compatible uses. The Blackhawk Neighborhood Plan, adopted in February 1994 and last amended in August 2006, recommends a school on the western portion of this property and low-density residential development and open space on the eastern portion of the property.

**Environmental Corridor Status:** This property is not located within a mapped environmental corridor, but is adjacent to the 105-acre Pope Farm Park in the Town of Middleton.

**Public Utilities and Services:** This property is not currently served by basic public utilities, but can be served by a range of urban services extending from the east and in conjunction with the development of the proposed extension of Schewe Road. There are no plans to extend Metro Transit service to this site.

**Zoning Summary:**

Lot Requirements	Required	Proposed
Lot Width	50'	adequate
Front Yard	30'	TBD
Side Yards	6' – 1 story, 7' – 2 story	TBD
Rear Yard	40'	TBD
Floor Area Ratio	n/a	n/a

Site Design	Required	Proposed
Accessible Stalls	n/a	n/a
Loading	Yes for School	to be reviewed at development
Number bike parking stalls	Yes for School	to be reviewed at development
Landscaping	Yes for School	to be reviewed at development
Lighting	Yes for School	to be reviewed at development

Other Critical Zoning Items	
Urban Design	Yes for new school
Historic District	No
Landmark Building	No
Flood Plain	No
Utility Easements	Yes
Waterfront Development	No
Adjacent to Park	No
Barrier free (ILHR 69)	to be reviewed at development
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>	

**Project Description**

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The applicant proposes a subdivision of the property for “Pope Farm Estates”, which would include a total of fourteen (14) lots and three outlots for the future development of an elementary school, potentially a middle school, and twelve single-family homes. The 39.45-acre property would be divided by a northward extension of Schewe Road linking Old Sauk Road and Blackhawk Road.

**Existing Conditions**

This undeveloped property is located on the western edge of the City in the Blackhawk Neighborhood, adjacent to the Town of Middleton’s Pope Farm Park. The majority of the site lies within the Lake Mendota Watershed and slopes downward from west to east, draining into the Blackhawk Subdivision and the Lower Badger Mill Creek. Approximately 6 acres in the southern portion of the site drains south to Old Sauk Road. A small portion, approximately 1.5 acres, in the northwest corner of the site lies within the Black Earth Creek Watershed and drains north to Blackhawk Road.

Lot 1 is significantly sloped, and while detailed plans for the school building have not been submitted, the MCPASD has expressed intent to grade the site and construct the school into the hill, with a two-story eastern elevation and a one-story elevation facing Pope Farm Park to the west.

Impressive views of Lake Mendota from Pope Farm Park are protected by a 400' no-build easement on the northern portion of the site, a 150' no-build easement on the western portion of the site, and a height limitation on all buildings.

#### Proposed configuration and use of lots

The 26.3-acre Lot 1 comprises the entire area west of Schewe Road extended. Adjacent to Pope Farm Park in the town of Middleton, Lot 1 is intended for development with a new elementary school in the short term, and possibly a middle school in the future. The development of buildings on Lot 1 is significantly limited by a 150-foot no-build easement along the western lot line, a 400-foot no-build easement from the northern property line, a triangular area designated as open space in the southwestern corner of the lot, and height limitations on buildings to prevent obstruction of an eastward view toward Lake Mendota from the park.

To the east of Schewe Road extended on the northernmost portion of the property, proposed Lot 2 lies completely within the 400-foot no-build easement. As such, the nearly two-acre lot must remain undeveloped, but may be utilized by the school district in the future as a garden or outdoor educational space. The twelve lots between River Birch Road extended and Shadow Ridge Trail extended (Lots 3–14) are proposed as single-family residential lots to be sold by the school district prior to development. At a 3.7 unit per acre density, these lots are similar in size to those in the adjacent Blackhawk Neighborhood, and may be incorporated into the Blackhawk Neighborhood Homeowners' Association if agreement can be reached between the MCPASD or a future property owner and the existing Association.

As proposed, Outlots 1 and 2 would be dedicated to and maintained by the City of Madison for stormwater management purposes. Outlot 1 is a small triangle behind Lots 13 and 14, to be utilized primarily for the infiltration of stormwater runoff from the backyards of the residential lots. Outlot 2 is a 2.7-acre parcel to be utilized for stormwater detention, and would be designed with a wet basin discharging into the City of Madison storm sewer at Shadow Ridge Lane. Outlot 3 is a small sliver created between the southern portion of the Schewe Road right of way and the existing rural residential lot to the east. There is no note on the plat submitted indicating intent for Outlot 3, but staff would support the MCPASD either giving it to the adjacent property owner or dedicating it to the city for right-of-way purposes.

#### Street extensions

As proposed, Schewe Road will be extended just over 2,300 feet to the north from Old Sauk Road to Blackhawk Road. The proposed 80-foot right of way at the intersection with Old Sauk Road quickly tapers to 70 feet for the majority of the new street, narrowing to 66 feet at the northern terminus of Lots 1 and 2 as it approaches Blackhawk Road between two residential properties in the Town of Middleton.

Both River Birch Road and Shadow Ridge Lane will be extended westward to meet the new Schewe Road within 60-foot rights of way, consistent with existing widths and rights-of-way in Blackhawk's Seventh and Eighth Additions to the east.

Proposed alignments and rights-of-way were determined taking into account existing rural residential properties in the Town of Middleton, Traffic Engineering regulations, the need for bicycle and pedestrian accommodations, on-street parking along portions of Schewe Road, and terraces with adequate width for street trees. Notably, the proposed extension is offset approximately 80 feet to the west of the current terminus of Schewe Road at Old Sauk Road. This proposed alignment avoids the residential property owned by Ronald and Pamela Brys in the Town of Middleton, but would create a problematic intersection that cannot meet City of Madison ordinances without an adjusted alignment of Schewe Road off-plat to the south of Old Sauk Road.

## Evaluation

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The rezoning and Preliminary Plat as proposed are generally consistent with the Comprehensive Plan and the Blackhawk Neighborhood Plan as amended in August 2006 with a recommendation for a school on this site.

### Summary of the approval process

Rezoning of the property to R1 and an approved Preliminary Plat are important steps in a broad set of necessary approvals for the construction of a new school on the site. While the MCPASD ultimately needs a successful referendum in order to move forward with conditional use request for a school on Lot 1, it is advantageous for the District to gain certainty at this stage regarding infrastructure costs and anticipated revenues based on the number of residential lots. In order to seek building permits to construct an elementary school on this property, the MCPASD requires the following approvals:

- Passage of a MCPASD referendum to support the cost of constructing the new school (*failed on April 7, 2009, but will likely be returned to voters in the near future*)
- Prior to any subdivision of land, approval of a City of Madison application to the Capital Area Regional Plan Commission (CARPC) and the Wisconsin Department of Natural Resources (DNR) for an amended Central Urban Service Area to include this property (*May 14, 2009 approval by CARPC anticipated*)
- Approval by the Plan Commission and Common Council for a Rezoning, Preliminary Plat, Final Plat, and a Conditional Use permit for a school

In preparation for the passage of the April 7, 2009 referendum, the MCPASD submitted applications for rezoning and a Preliminary/Final Plat in March 2009, which would ensure that all City of Madison land use approvals could be in place prior to Summer 2009 construction of the proposed school. Although the referendum failed, the MCPASD continues to plan for an elementary school at this site in the near future. In a letter dated April 16, the MCPASD requested a withdrawal of their Final Plat application, but indicated that they would like to move forward with the Preliminary Plat and Rezoning applications. Should a future referendum supporting the construction of the new elementary school succeed, the Plan Commission would see Final Plat application and a Conditional Use request for a school at that time. The Conditional Use request will require review and a recommendation from the Urban Design Commission since the school is a public building.

Importantly, MGO Section 16.23(5)(d) provides for a six-month period of validity between the Common Council approval date for a Preliminary Plat and the submittal of the Final Plat application. This six-month time constraint may be waived by the Plan Commission, but in order for an approved Preliminary Plat to remain valid, the Final Plat must be approved and recorded within 24 months of Preliminary Plat approval per Chapter 236.25(2)(b) Wisconsin Statutes in any case. If approval is granted for this Rezoning and Preliminary Plat and the MCPASD does not record the plat within an adequate time period, the property would remain in the R1 zoning district, but a new Preliminary Plat application would be required for review in order for the property to be subdivided and improved.

The proposed R1 zoning sufficiently ensures consistency with adopted plans, with the understanding that any variant on the proposed plat would require a new application for consideration by the Plan Commission, and that the development of Lot 1 with a school or schools necessitates a conditional use approval. Approval of the Preliminary Plat requires careful consideration of at least two issues, including the alignment of the intersection of Schewe Road and Old Sauk Road, appropriateness of the proposed rights-of-way, and the future use of Lot 2.

### Intersection of Old Sauk Road and Schewe Road

A major issue of concern with the proposal is the fact that the proposed extension of Schewe Road is offset from the existing intersection of Schewe Road and Old Sauk Road by approximately 80 feet. As

per MGO Sec. 16.23(8)(a)(7), any new local street must align with an existing street unless there are over 300 feet between them. While the alignment of the proposed street minimizes negative impacts on the Brys property in the Town of Middleton, the MCPASD has not yet submitted a viable strategy to ensure that existing Schewe Road to the south of Old Sauk can be realigned in the near future, prior to the opening of a future school.

The realignment of Schewe Road approaching Old Sauk Road from the south would require dedication of privately owned land south of this plat to the City of Madison for right-of-way purposes. There is no active plat application being considered for the property, owned by Gallina Investments, LLC, nor is it in the Central Urban Service Area. While a future plat application for the Gallina property would likely involve a required realignment of Schewe Road with an approved plat to the north, there is no assurance that this will occur in a timely manner. As noted in recommended conditions of approval from both City Engineering and Traffic Engineering, the MCPASD must secure this assurance prior to final plat approval.

#### Possible waiver of parkland dedication and park development fees

During the review process, the MCPASD expressed interest in dedicating proposed Lot 2 to the City as a park to offset over \$37,000 in park fees associated with the residential lots. In a neighborhood already well served by parks, the Parks Division could not justify the ongoing maintenance of this small parcel, and proposed an alternative way for the MCPASD to pursue a waiver of part or all of the park fees as follows: If the MCPASD commits to provide public access to an athletic field and play equipment on Lot 1 during times it is not being used for school purposes, the Parks Division is willing to waive park development fees totaling \$10,939.80. Secondly, if the MCPASD commits to utilizing and maintaining proposed Lot 2 as a school garden or outdoor educational space, the Parks Division is willing to waive parkland dedication fees totaling \$26,532.00.

#### Views from Pope Farm Park

Through no-build easements and limitations on building heights, the Town of Middleton has effectively protected an impressive view of Lake Mendota from Pope Farm Park, located just west of this site. A May 8, 2009 letter from the Town of Middleton Administrator requests that future street trees and light poles associated with street improvements within this view corridor maintain the same height limitation of 1,160 feet above sea level.

#### Neighborhood input

The Blackhawk Neighborhood to the east of the site has single family homes constructed in this decade with a median 2008 assessed value of \$589,000 and a median lot size of 14,750 square feet (0.34 acres). The 21 homes on the western edge of the neighborhood, closest to the proposed subdivision, have a median 2008 assessed value of \$810,000. Representatives from the Blackhawk Neighborhood Association have expressed general support for locating a school at this site, noting the benefits of a school to serve the neighborhood. Their primary concerns as relayed to Planning Division staff pertain to the potential for *overflow parking and increased traffic* on neighborhood streets, and the *maintenance of residential property values* near the school.

While the provision of surface parking for the school(s) will be subject to review as part of a later conditional use request, the MCPASD has taken an important step to minimize the likelihood that cars will be parked along River Birch Road and Shadow Ridge Trail on a regular basis. Based on early input from Traffic Engineering, the proposed right-of-way for Schewe Road extended would accommodate on-street parking along at least one side of the street, as well as on-street bicycle lanes. Planning Division staff suggests that even if occasional special events necessitate on-street parking within the Blackhawk Neighborhood, conflicts with residents would be rare, as the vast majority of neighborhood properties have adequate off-street parking for several vehicles. Since Blackhawk Road and Old Sauk Road will be utilized by drivers coming to the school from outside the neighborhood, any increased

traffic through the neighborhood during school drop-off and pick-up times will likely be limited to that of Blackhawk Neighborhood residents, most of whom live within easy walking or bicycling distance from the school. In the event that a conditional use is sought for the school site, the Urban Design Commission and Plan Commission should carefully assess provisions for pedestrians and bicyclists to maximize the proportion of school trips made on foot or bicycle.

Planning Division staff acknowledges the concern regarding property value maintenance for residential lots on the western portion of the Blackhawk Neighborhood. However, the proposal is consistent with adopted plans, and of all possible land uses, the single-family residential lots proposed would likely have the least negative impact on adjacent properties. While the westernmost properties in the Blackhawk Neighborhood will no longer be at the westernmost edge of development in the City, the new lots proposed by the school district will be between the existing dwelling units and the new school, and would certainly be most affected by the school itself. The proposed zoning and lot size for these lots is consistent with the existing lots to the east. While it is a possibility, it is unknown at the time of this writing whether or not they will be subject to the same architectural covenants as other properties in the neighborhood. While this private arrangement may have benefits and drawbacks, Planning Division staff recommends that the MCPASD, a future property owner, and the Blackhawk Neighborhood Homeowners Association discuss this possibility with no city involvement.

The owner of 1014 Blue Aster Trail, at the western terminus of River Birch Road has cited specific concerns related to the westward extension of the street and sidewalks. As noted in his memoranda to the Plan Commission, his requests include the following: the construction of a boulder retaining wall; the removal of a tree on his property if necessitated by sidewalk extension; reinstallation of a lot corner marker; the use of sod in the public terrace adjacent to his property; and removal of all debris associated with construction. While a few of these requests may be able to be addressed by the MCPASD and/or the City during the subdivision improvements contract associated with the Final Plat, Planning Division staff does not recommend that the Plan Commission incorporate them as conditions of approval for the Preliminary Plat. However, staff recommends that as detailed designs are prepared by City Engineering for the extension of River Birch Road and Shadow Ridge Trail, they are provided to adjacent property owners for review and comment.

## Conclusion

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Rezoning of the property to R1 and an approved Preliminary Plat are important steps in a much broader set of necessary approvals for the construction of a new school on the site. Planning Division staff believes that the standards for zoning map amendments are met, as the proposed rezoning from Agriculture to R1 zoning sufficiently ensures consistency with the City's adopted plans. Staff believes that the proposed Preliminary Plat can meet the requirements of the Subdivision Ordinance if the conditions of approval in the following section are addressed by the Middleton-Cross Plains Area School District.

## Recommendation and Proposed Conditions of Approval

Major/Non-Standard Conditions are shaded

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### **Planning Division Recommendation** (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the standards for zoning map amendments and provisions of the Subdivision Ordinance can be met and forward the rezoning and Preliminary Plat to the June 2, 2009 meeting of the Common Council with a recommendation of **approval** subject to input at the public hearing and the following conditions:

1. Since no development will occur on proposed Lot 2 in the future, the applicant shall rename it as an outlot on the final plat and adjust the enumeration of other lots and outlots accordingly.
  2. A note shall be placed on the final plat to indicate the intended ownership of proposed Outlot 3.
  3. As the design process for the westward extension of River Birch Road and Shadow Ridge Trail, City Engineering will notify adjoining property owners and make available proposed plans and specifications.
  4. City Engineering and Traffic Engineering should review the request to keep streetlights at an elevation not to exceed 1,160 feet and provide a report to the Board of Public Works and the Common Council as part of the review of the Final Plat.
5. Prior to the approval of a Final Plat, this property must be included in the Central Urban Service Area as approved by the Capital Area Regional Plan Commission and the Wisconsin Department of Natural Resources.

The following conditions have been submitted by reviewing agencies:

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

6. The Westerly 30 feet of existing Lot 1, Certified Survey Map 9607 (Brys lands) that lies within the Town of Middleton is reserved for future public right-of-way dedication. The CSM indicates that the municipality with jurisdiction at the time right-of-way is needed shall accept any approved proposed right-of-way dedication. When both the City of Madison and Town of Middleton agree on the geometric alignment for Schewe Road through this proposed Subdivision plat, the developer shall then work with the Town of Middleton and dedicate the approved right-of-way to the Town. Provide a recorded copy of this right-of-way dedication to Engineering prior to final plat approval.
7. There is probability of additional off-plat public land interests (public easement grants or public right-of-way dedications) to facilitate this proposed Subdivision Plat. Coordination of these potential public land interests shall be made with the appropriate jurisdictional review agencies and secured in title prior to final plat sign off.
8. This area drains to the Lower Badger Mill Creek, however the City has no easements in place south of this development. It is likely additional stormwater infiltration practices will be required beyond those in Chapter 37 of the Madison General Ordinance unless easements are in place or acquired by this Developer south to Mineral Point Road at the time of final platting.
9. The City may not accept dedication of Outlot 1. The small size and triangular configuration may not allow for maintenance to City standards. Review detailed plans for Outlot 1 with the City Engineer prior to final plat submittal.
10. Development within these watersheds are subject to the 100-year detention requirements.
11. This area is not presently within the Central Urban Service Area and cannot be subdivided until included into the Central Urban Service Area.
12. Portions of the proposed plat cannot be served by gravity sanitary sewer.

13. 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.
14. 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.
15. The following note shall be put on the plans:
16. LOTS / BUILDINGS WITHIN THIS DEVELOPMENT ARE SUBJECT TO IMPACT FEES DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.
17. It is anticipated that the improvements on Schewe Road will require additional right of way and/or grading easements located outside the plat 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.
18. The Developer shall construct Madison Standard street improvements for all streets within the plat.
19. The developer shall construct sidewalk and record a waiver of their right to notice and hearings for the assessments for the improvement of Old Sauk Road in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
20. The Developer shall make improvements to Old Sauk Road and Blackhawk Road to facilitate ingress and egress to the plat.
21. 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.
22. 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 stormwater 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 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 City Engineering's approval of this plan.

23. Prior to recording the plat, the applicant shall comply with Chapter 37 of the 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)
  - Provide infiltration in accordance with NR-151
  - Provide substantial thermal control

Stormwater management plans shall be submitted and approved by City Engineering prior to sign-off.

24. 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>
25. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat the applicant shall contact Janet Dailey (608-261-9688) 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).
26. 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 (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
27. 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.

28. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference City of Madison WCCS Dane Zone, 1997Coordinates on all PLS corners on the Plat 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 WCCS, Dane Zone 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 WCCS Dane Zone 1997 value, contact the Engineering Division for this information.
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 datum 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)

- 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 Engineering Streets Section 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.

30. City of Madison Environmental Projects Staff have 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 (608-267-1986) 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 final sign-off may be delayed until the transportation impact fees are negotiated or approved by the Council.
32. The applicant shall note a 70-foot width of Schewe Road northerly to Blackhawk Road. The applicant may need to note 4 additional feet, "Reserved for Future Road Right-of-Way." along the easterly right-of-way line.
33. The applicant shall be required to secure the alignment of Schewe Road south of Old Sauk Road prior to Final Plat approval.
34. The applicant shall enter into a developer's agreement to provide transportation improvements required to serve the development as determined by the City, prior to Final Plat approval. This includes intersection improvements at Old Sauk Road, Blackhawk Road, and pedestrian crossing treatments along Schewe Road.
35. Prior to approval, 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 right-of-way to accommodate the ped-bike plan.
36. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights & traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.
37. A utility easement shall be provided between Lot 14 and Outlot 1.
38. The applicant shall show a detail drawing of the 12 ft. utility easement dimensions and lot lines on the face of the plat.
39. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Parks Division** (Contact Tom Maglio, 266-6518)

40. Before signoff on the rezoning and preliminary plat, the developer must select a method for payment of park fees for the 12 single-family residential lots, totaling \$37,471.80 for park dedication and development fees. Fees must be paid for each lot no later than at the time a building permit is requested in any case. Prior to that time, fees may be waived in part or in total by the City of Madison Parks Division as follows:

- a) Development Fees totaling \$911.65 per residential lot (maximum of \$10,939.80) will be waived if the MCPASD agrees in writing to develop play equipment and at least one athletic field on Lot 1 that are available for public use when not in use by the MCPASD
- b) Fees in lieu of dedication totaling \$2,211.00 per residential lot (maximum of \$26,532.00) will be waived if the MCPASD agrees in writing to dedicate proposed Lot 2 for use as a school garden, outdoor learning center, or other open space use in perpetuity.

$$\begin{aligned} \text{fee in lieu of dedication} &= 12 \text{ sf} @ 2211.00 = \$26,532.00 \\ \text{park development fees} &= 12 \text{ sf} @ 911.65 = \$10,939.80 \\ \text{total fees} &= \$37,471.80 \end{aligned}$$

41. In order to preserve eastward views of Lake Mendota from the Pope Farm Park in the Town of Middleton, the Forestry Section of the City of Madison Parks Division will ensure that street trees planted in the view corridor from Pope Farm Park will not exceed an elevation of 1,160 feet, as per the enclosed May 8, 2009 letter from the Town of Middleton.

42. 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.

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

43. All public water mains and water service laterals shall be installed by standard City of Madison subdivision contract.

44. All operating private wells shall be identified and permitted by the Water Utility in accordance with Madison General Ordinance 13.21. All unused private wells shall be abandoned in accordance with Madison General Ordinance 13.21.

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

45. The grading plan dated March 18, 2009 appears to provide adequate usable open space on the lots. Some of the lots have limited building envelope areas in order to meet the usable open space requirements. Some additional terracing may be needed on some of the site.

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

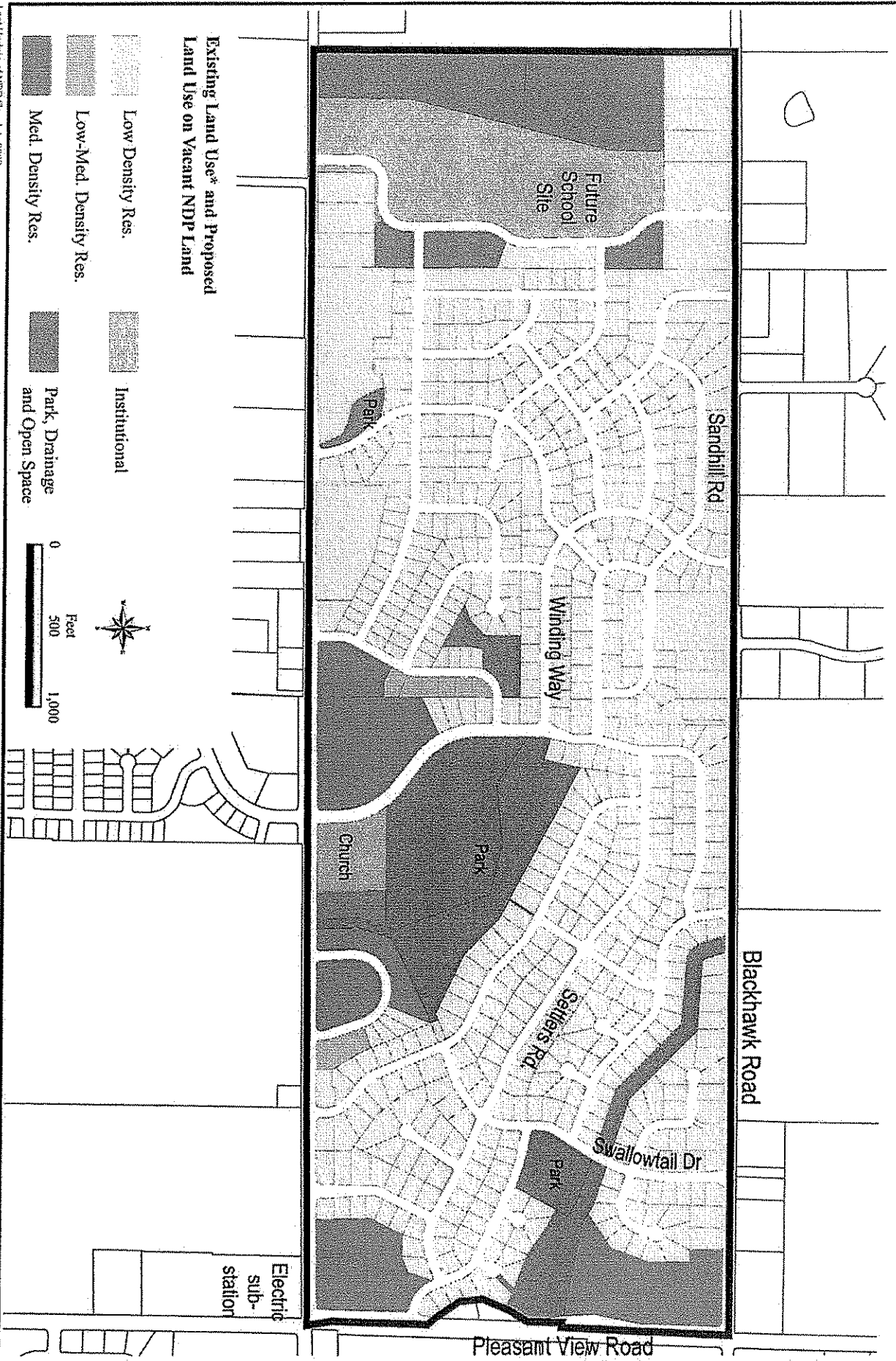
This agency did not submit a response for this request.

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

This agency did not submit a response for this request.

# Blackhawk Neighborhood Development Plan

As Adopted March 1994, Amended August 2006 and \*implemented through subdivision and zoning approvals



Last Update of NDP file: July 2007  
 \*Implementation dates subject to final subdivision and zoning approvals