



Department of Planning & Community & Economic Development  
**Planning Division**

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

Madison Municipal Building  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2985  
Madison, Wisconsin 53701-2985  
TDD 608 266-4747  
FAX 608 266-8739  
PH 608 266-4635

January 6, 2011

Ron Klaas  
D'Onofrio Kottke & Associates  
7530 Westward Way  
Madison, Wisconsin 53717

RE: Approval of a request to rezone 28 acres of land located at 2052 Woods Road from Temp. A (Agriculture District) to R1 and R2T (Single-Family Residence Districts), and; approval of a preliminary plat creating 81 future single-family residential lots and 2 outlots for public stormwater management and parkland.

Dear Mr. Klaas;

At its January 4, 2011 meeting, the Common Council **conditionally approved** your client's zoning map amendment and the preliminary plat of "Hawks Valley" subject to the following conditions of approval from reviewing agencies:

**Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following twenty-seven (27) items:**

1. The developer's improvements to Mid Town Road in the vicinity of [Besra] Drive shall be sufficient to offset the developer's total share of the required improvements adjacent to the plat.
2. The developer shall construct sidewalk and ditching along Mid Town Road.
3. This plat proposes to discharge the stormwater management area onto lands not controlled by the City of Madison. The developer shall be required to provide measures to fully mitigate this discharge or acquire an easement from the adjacent property to accept the drainage on that land.
4. This plat shall comply with all the stormwater management requirements imposed by the Capitol Area Regional Plan Commission. Additional information is required to determine if additional land dedication is needed to satisfy the requirement.
5. This plat will require off-site gravity sewer and/ or an on-site lift station to serve the development. If an on-site lift station is proposed, additional easements for the lift station and force main may be required. Likewise if off-site gravity sewer is the preferred option, easements from the downstream property owner will need to be acquired at the developer's expense.
6. Revise the plat to provide a 20-foot wide public storm sewer easement across the west line of proposed Lots 29, 30, 31, 32 and 64 for the public main discharging to the stormwater pond.
7. Coordinate the approval of all proposed street names with Lori Zenchenko in the Engineering Mapping Section.

8. The owner shall revise the plat boundary to include only the lands within the City of Madison's corporate boundary. That portion of owner's property located within the Town of Verona that is necessary for the Mid Town Road right of way shall be deeded to the City of Madison yet remain in the Town of Verona jurisdiction.
9. 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.
10. 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.
11. This development is subject to impact fees for the Lower Badger Mill Creek Impact Fee District for sanitary sewer only. All impact fees are due and payable at the time building permits are issued. The following note shall be put the face of the final plat: "Lots/ buildings within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."
12. The applicant shall dedicate an additional 14 feet of right of way along the Mid Town Road frontage with the final plat.
13. The developer shall construct Madison standard street improvements for all streets within the plat.
14. The developer shall note that City funds for park frontage reimbursement are limited and will be determined at the sole discretion of the City.
15. The developer shall construct sidewalk and 19 feet of a future 38-foot roadway for Woods Road, including curb and gutter on the west side of the road.
16. The developer shall make improvements to Mid Town Road and to Woods Road to facilitate ingress and egress to the plat.
17. The developer shall note that the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat.
18. An erosion control plan and land disturbing activity permit shall be submitted to the City Engineering Division for review and approval prior to grading or any other construction activities. The Pre-construction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
19. 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.

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.

- 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 addition to notes such as this, Wisconsin 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.

20. Prior to the issuance of building permits, the developer shall submit a master stormwater drainage plan to the City Engineering Division for review and approval which shows lot corner elevations to the nearest 0.25-foot. For purposes of the plan, it shall be assumed that grading shall be done on a straight line grade between points unless other information is provided. The proposed slope between points shall always be greater than or equal to .0075 ft/ft. If a break in grade is required between lot corners a shot shall be taken at that break in grade to provide the Engineer with enough information to interpret the plan. The Developer shall also show proposed drainage arrows on the plan to indicate the proposed direction of drainage. The master storm water drainage plan shall be submitted to City Engineering in digital format with elevations/grades/contours shown on the recorded plat map of the development. The digital record shall be provided using the state plane coordinate system – NAD 27. No building permits shall be issued prior to City Engineering's approval of this plan.

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

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

21. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2, 10 & 100-year storm events; control 80% TSS (5 micron particle), provide substantial thermal control, and; provide infiltration in accordance with NR-151. Stormwater management plans shall be submitted and approved by the City Engineering Division prior to signoff of the final plat.
22. Effective January 1, 2010, the Department of Commerce's authority to permit commercial sites for stormwater and erosion control has been transferred to the Department of Natural Resources. As

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

23. A minimum of 2 working days prior to requesting City Engineering Division signoff on the final plat, the applicant shall contact Janet Dailey (261-9688) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the subdivision (and subsequent obsolesces of the existing parcel).
24. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering signoff.
25. 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.
26. 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.

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

City Engineering Division permit applications are available online at:  
<http://www.cityofmadison.com/engineering/permits.cfm>.

**Please contact John Leach, Traffic Engineering Division, at 267-8755 if you have questions about the following five (5) items:**

28. The developer shall put the following note on the face of the final plat: "All the lots within this subdivision are subject to impact fees that are due and payable at the issuance of building permit(s)." Note: The development may be delayed until the Common Council approves the transportation impacts fees.
29. As part of the submittal of the final plat for this subdivision, the applicant shall prepare and provide a master ped-bike plan for the plat that is consistent with the City's area wide plans and the plat's specific provisions, to be reviewed and approved by the Traffic Engineer. The applicant may need to modify the proposed rights of way to accommodate the ped-bike plan.
30. The applicant shall execute a declaration of conditions and covenants for streetlights and traffic signals prior to sign off of the final plat for recording. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.
31. There shall be an access restriction noted on the face of the final plat of this subdivision as follows: No Access shall be granted along the southerly right of way line Mid Town Road. The applicant shall graphically show the "No Vehicular Access Restriction" on the face of the final plat.
32. 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 Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following two (2) items:**

33. Note: If easements are shown, please be advised that the minimum side yard setback is 5 feet in the R2T district and 6 feet in the R1 district.
34. Due to apparent topographic change across the property, it is not clear that all lots will be able to provide required useable open space once developed. Provide a grading plan of the plat to show that usable open space requirements can be met on the R1 lots in the amount of 1,300 square feet per each lot and 800 square feet for the R2T Lots. 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 required front yard and required street side yards do not count toward usable open space.

**Please contact Dennis Cawley, Madison Water Utility, at 261-9243 if you have any questions regarding the following two (2) items:**

35. All public water mains and water service laterals shall be installed by a standard City subdivision contract.
36. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. All operating private wells shall be identified and permitted by the Water Utility in accordance with Madison General Ordinance 13.21.

**Please contact Kay Rutledge, Parks Division, at 266-4714 if you have any questions regarding the following two (2) items:**

37. The area identified as Outlot 2 on the preliminary plat will be accepted as park dedication. Total dedication required for 81 new single-family lots is 89,100 square feet based on 1,100 square feet of parkland per dwelling unit.
38. The developer shall pay \$74,656.08 in park development fees for the 81 proposed single-family lots. This development is within the Elver Park impact fee district (SI31). The applicant must select a method for payment of park fees before recording of the final plat.

**Please contact Bill Sullivan, Madison Fire Department, at 261-9658 if you have any questions regarding the following two (2) items:**

39. The applicant shall work with the City to ensure the proposed street design can accommodate emergency vehicle access.
40. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

**Please contact my office at 261-9632 if you have questions about the following five (5) items, including the two conditions modified by the Plan Commission on December 20, 2010:**

41. That the final plat show a 30-foot rear yard building line and 20-foot landscaped buffer parallel to Mid Town Road for Lots 1-10.
42. That the final plat include a restriction prohibiting direct vehicular access to Woods Road from Lots 36-38, 51, 52 and 81 as shown on the preliminary plat.
43. That the developer submit a detailed screening plan for the landscaping buffer strip parallel to Mid Town Road for Planning Division approval with the final plat. The plan for the buffer strip should include a variety of screening elements including various landscape materials, berming and fencing. Surety for the installation of the approved screening plan will be part of the Subdivision Improvement Contract for this plat, and the residences on Lots 1-10 will be required to show that the approved screening plan has been or will be implemented at the time individual building permits are requested for those lots.

The following note shall also be included on the final plat: "The 30-foot building setback line and 20-foot landscaped buffer strip is reserved for the planting and maintenance of trees or shrubs by the owner; the building of buildings hereon is prohibited. Maintenance of the buffer strip is the responsibility of the lot owner."

44. That prior to final approval and recording of the final plat dedicating the stormwater and park outlots to the City, an adjustment to the environmental corridor map be approved by the Capital Area Regional Planning Commission or its staff to reflect the final platting of those outlots.
45. Note: As part of the final plat process, the Planning Division will work with the developer and the City Engineering Division to finalize the design of the 70-foot right of way for Grey Kestrel Drive and will provide input to the City Forester regarding the street trees to be planted by the City along that boulevard during build-out of the subdivision.

The developer shall now submit a final plat for approval in accordance with the MGO Section 16.23 (5)(c) of the Subdivision Regulations.

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.

Any appeal regarding the plat, including the conditions of approval related thereto, must be filed with the Circuit Court within thirty (30) days from the date of this letter. If I may be of any further assistance, do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks  
Planner

cc: Janet Dailey, City Engineering Division  
John Leach, Traffic Engineering Division  
Dennis Cawley, Madison Water Utility  
Pat Anderson, Assistant Zoning Administrator  
Kay Rutledge, Parks Division  
Bill Sullivan, Madison Fire Department  
Jeff Ekola, Office of Real Estate Services  
Dan Everson, Dane County Land Records and Regulations