

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of April 30, 2008**

RE: I.D. # 09342: Zoning Map Amendment ID 3343-3344, Rezoning 9305-9437 Elderberry Road from Temp. A to R2T and PUD-GDP and I.D. #09774, Approval of the Preliminary and Final Plats of Woodstone

1. Requested Actions: Approval of a request to rezone approximately 38.8 acres located at 9305-9347 Elderberry Road from Temp. A (Agriculture District) to R2T (Single-Family Residence District) and Planned Unit Development, General Development Plan (PUD-GDP); approval of a demolition permit to allow three single-family residences to be razed, and; approval of a preliminary and final plat creating 105 residential lots and 2 outlots for stormwater management.
2. Applicable Regulations: Section 28.12 (9) provides the process for zoning map amendments; Section 28.07 (6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Developments. Section 28.04 (22) provides the guidelines and regulations for the approval of demolition permits. The subdivision process is outlined in Section 16.23 (5)(b) of the Subdivision Regulations.
3. Report Prepared By: Timothy M. Parks, Planner.

GENERAL INFORMATION

1. Applicant & Property Owner: Dan Heffron, Pheasant Ridge, LLC; 2000 Prairie Street; Prairie du Sac.

Agent: Jason Valerius, MSA Professional Services; 2901 International Lane; Madison.

Surveyor: James R. Grothman; 625 E. Slifer Street; Portage.
2. Development Schedule: The applicant wishes to begin construction of the subdivision as soon as all regulatory approvals have been granted.
3. Location: Approximately 38.8 acres of land located a half-mile west of Pleasant View Road on the south side of Elderberry Road, Aldermanic District 9; Middleton-Cross Plains School District.
4. Existing Conditions: The subject site is largely undeveloped with the exception of three single-family residences, a shed and a barn located on the northern third of the overall property, which is zoned Temp. A (Agriculture District).

5. Proposed Land Use: 8 single-family lots, zoned R2T (Single-Family Residence District), 10 two-family lots and 5 multi-family lots, zoned PUD-GDP and 2 outlots for stormwater management.
6. Surrounding Land Use and Zoning:
North: Sauk Heights Subdivision, zoned R2 (Single-Family Residence District) and undeveloped lands, zoned Temp. A (Agriculture District);

South: Undeveloped lands in the Town of Middleton; Blackhawk Church Town Center, zoned PUD-GDP to the southwest of the site in the City of Madison;

East: Undeveloped lands in the City of Madison, zoned Temp. A, and in the Town of Middleton;

West: Single-family residence on a large lot and undeveloped lands, zoned Temp. A.
7. Adopted Land Use Plan: The Elderberry Neighborhood Development Plan identifies the subject site for low-density residential uses. The neighborhood plan originally showed low to medium-density residential uses along the north side of a planned east-west collector street to be located on the adjacent property south of the site. However, the platting of the Blackhawk Church Town Center development southwest of the subject site pulled the east-west collector further north than planned, thereby conceivably placing the low to medium-density residential lands on the subject site, which now abuts the future collector.
8. Environmental Corridor Status: The majority of the subject site is not located within a mapped environmental corridor with the exception of a small area located midway along the eastern property line, where an "isolated resource feature" is shown. Though the corridor map does not include the reason for identifying this feature, staff believes it relates to a low-lying area on the adjacent University of Wisconsin agricultural research property, which is not detailed on corridor maps at this time, as they are not currently in the Central Urban Service Area.
9. Public Utilities & Services: The subject property is located within the Central Urban Service Area. The proposed development will eventually be served by a full range of urban services pending the extension of sanitary sewer to the site across the undeveloped lands to the east of the site.

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STANDARDS FOR REVIEW

This application is subject to the standards for demolitions, planned unit developments, zoning map amendments and preliminary plats.

PLAT REVIEW

The applicant is requesting approval of a zoning map amendment and preliminary and final plats to allow creation of 104 residential lots and 2 outlots from a 38.8-acre parcel located on the south side of Elderberry Road, approximately a half-mile west of Pleasant View Road. The subject site was attached to the City from the Town of Middleton on September 18, 2007 and is currently zoned Temp. A (Agriculture District).

Existing Conditions

The site consists of three single-family residences, which will be demolished to accommodate the proposed residential development. The first of the three homes proposed for demolition, moving from east to west, is a one-story ranch-style structure noted in the plan materials as 7191 Elderberry Road (former Town address; now 9305). The aluminum and brick-sided structure was built in 1981 according to available records and includes three bedrooms, two baths and an attached two-car garage. The next residence is a two-story farmhouse located at 7197 Elderberry (now 9313) that was constructed in 1902. Records indicate that the residence contains three bedrooms and one bath, with 1,782 square feet of living space. The farmhouse sits on 37 of the 38.8 acres comprising the subject site, which also includes a gambrel-roofed barn located west of the farmhouse parallel to Elderberry Road. The last residence on the property is a one-story ranch home addressed in the materials as 7247 Elderberry (now 9437). Records show the house was constructed in 1979 and contains three bedrooms, one bath and an attached two-car garage. Unlike the other two homes on the property, which sit within 50 feet of the road, the westernmost residence is located approximately 275 feet from the road near the western property line.

The applicant has submitted an assessment of the three structures to be demolished that suggest that the two ranch homes on the property are generally in fair condition but are "outdated" and "not marketable in today's housing market." The farmhouse is noted as being in fair condition on the exterior, but having a number of deficiencies on the interior, including outdated or non code-compliant plumbing, electrical and structural components. The assessment also notes that a number of interior finishes have been removed and that cracks are present in the walls and ceilings. The applicant believes that the three houses merit demolition because the cost to restore the homes to current market standards exceeds their value. He also feels that the homes cannot be integrated into the character of development being proposed.

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The area surrounding the site is largely undeveloped at the present time and includes agricultural uses on the properties located to the immediate east, south and west, including a University of Wisconsin agricultural research farm, which abuts the property on the east, as well as a handful of single-family homes on town lots in the Town of Middleton along Elderberry Road. The property is located adjacent to the southernmost portions of the Sauk Heights residential development, which is located north across Elderberry Road from most of the site. The southwestern corner of the proposed development will also touch the northeastern corner of the Blackhawk Church Town Center development. While development within that project is ongoing, including the recent completion of the new Blackhawk Church and an office building, the lands in the Blackhawk Planned Unit Development closest the subject site are undeveloped.

The subject site is generally characterized by rolling terrain that runs from the south and west towards the midpoint along the eastern property line and a swale located on the University land adjacent. Two minor drainage corridors were identified as extending through the property in the Elderberry Neighborhood Development Plan, with areas of soils with wet characteristics abutting each. However, neither the environmental corridor maps nor neighborhood plan identify any wetlands present on the property. There is one small area of the property identified on the environmental corridor map along the midpoint of the eastern property line that corresponds to the beginning of the swale located on the adjacent University property, which has not been mapped. The property is largely devoid of any significant areas of vegetation with the exception of mature trees and residential plantings surrounding the three residences, although mature trees are scattered along the edges of the agricultural portions of the subject site.

Project Review

The applicant proposes to rezone 88 of the 104 residential lots proposed to R2T (Single-Family Residence District), while the remaining 16 lots will be rezoned to Planned Unit Development, General Development Plan. Access to the proposed subdivision will be provided by the southerly extension of Little Bear Drive and Fargo Trail across Elderberry Road from the Sauk Heights development to the north. Fargo Trail will extend south through the entire development to connect to a future easterly extension of Wilrich Road, which was platted in the Blackhawk Church Town Center development to the southwest, but has not yet been constructed. The plat also proposes to dedicate a small portion of Bear Claw Way in the southwestern quadrant of the site to correspond to the platting of that road north from Mineral Point Road with the Blackhawk project. Bear Claw Way, which will feature a roundabout at the intersection of Wilrich Road, is shown in the Elderberry Neighborhood Development Plan as a north-south collector road, which winds southwesterly from Old Sauk Road through the Sauk Heights development before turning

more southerly across two large land holdings generally located north and west of the subject site.

The 88 R2T lots proposed will occupy most of the northern three-quarters of the subdivision north of proposed Azur Avenue, where a total of 99 residential lots are proposed. The other 11 lots proposed north of Azur Avenue will be zoned PUD-GDP, and will each be developed with two-family residences following approval of a specific implementation plan for those lots prior to construction. The layout for the one- and two-family sections of the subdivision call for lots to primarily front onto two other east-west streets in addition to Azur Avenue, including a median-divided boulevard proposed through a portion of the center of the development, which is shown as Fireside Boulevard. Sixteen lots will also front onto the south side of Elderberry Road similar to eight lots fronting Elderberry in the adjacent Sauk Heights development. Lots in the R2T area range in size from 5,000 square feet to 9,241 square feet, with all of the lots proposed appearing to meet the 5,000 square-foot minimum lot area required in the R2T zoning district. In general, the largest R2T lots will occupy the two blocks abutting Elderberry Road and a proposed outlot for public stormwater detention located along the eastern property line. The R2T lots proposed in the area bounded by extended Fargo Trail and Little Bear Drive, Azur Avenue and Springtide Street are proposed as alley-loaded lots fronting onto the east-west streets. The 44 lots within this area will all be less than 5,600 square feet. The two alleys proposed to serve these lots will be dedicated to the City but may include privately maintained streetlights as noted on the final plat.

The 11 PUD-GDP twin-home lots proposed will be located on corner lots and will range in area from 10,350 square feet to 18,769 square feet. The general development plan generally calls for one unit in each building to face each of the intersecting streets forming the lot, though photos of a prototype building included in the application materials suggest that the units could also face the same street. The plans also suggest that units will have side- or rear-loaded garages. Details of the two-family homes north of Azur Avenue will be provided on a subsequent application for specific implementation plan approval, at which time floorplans and elevations of each building will be required. The developer intends for the twin-home setbacks for these 11 lots to generally follow the same setbacks as required for the R2T single-family home lots. The zoning text for this portion of the PUD generally calls for 15-foot front yard setbacks for the two-family homes along both public streets, with the exception of Elderberry Road, where a 25-foot yard will be required.

Between Azur Avenue and extended Wilrich Road, the developer is proposing construction of an additional 80 units in PUD-GDP zoning. The general development plan calls for two lots, Lots 12 and 103, to be developed with 9 two-family condominium buildings facing the south side of Azur Avenue with setbacks similar to the twin-homes lots located to the north in the subdivision. South of these two-family homes, a total of 32 townhouse condominium units will be constructed

in 4 five-unit buildings fronting Wilrich Road and 2 six-unit buildings fronting onto Fargo Trail. A concept plan for the six townhouse buildings calls for each to have underground parking, with access to the five-unit buildings provided by shared driveways from Wilrich Road. Access to the underground parking for the six-unit buildings along Fargo Trail will be provided by driveways shared with the adjacent twin-homes on Lots 12 and 103. The remaining 30 units will be located in an apartment building that will be located on a 1.5-acre parcel at the corner of Wilrich Road and future Bear Claw Way. A driveway from Azur Avenue is proposed to provide access to underground and surface parking for this building.

Finally, the developer is proposing to include secondary dwelling units on 8 of the single-family lots within the subdivision. The R2T zoning district was amended in 2005 to allow secondary dwelling units with a maximum size of 640 square feet on the same lot as a single-family dwelling identified on a subdivision plat approved after August 1, 2004. The requirements for secondary dwelling units include:

- a. No more than one secondary dwelling unit may be located on a lot.
- b. The lot is a corner lot or abuts an alley.
- c. The lot has a minimum area of 5,000 square feet.
- d. The lot has a minimum width of 60 feet.
- e. An attached secondary dwelling unit shall be part of the single family dwelling on the same lot for the purpose of the bulk requirements of the district. Any secondary dwelling unit connected to the single-family dwelling is considered attached.
- f. A detached secondary dwelling unit shall be located only above a detached garage of the single-family dwelling on the same lot.
- g. A detached secondary dwelling unit shall be located a minimum of 5 feet from a side or rear lot line, unless the lot is adjacent to an alley, in which case it shall be located a minimum of 3 feet from the rear lot line.
- h. The height of a secondary dwelling unit shall be as specified for the district.
- i. The usable open space requirements for a detached secondary dwelling unit shall be 50% of the usable open space requirement in the district.
- j. The single-family dwelling on the lot shall be owner-occupied.
- k. The entryway to the secondary dwelling unit shall be connected to a street frontage with a paved walkway.
- l. The secondary dwelling unit shall have a separate entrance from the single-family dwelling.

The Planning Division believes that the 8 lots proposed for secondary dwelling units meet the minimum design standards regarding lot width, area and corner placement. The final plat will need to be revised to identify these lots as required by Section 28.03 of the Zoning Ordinance.

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In addition to the outlot to be dedicated to the City for stormwater management along the eastern property line (Outlot 2), a second smaller outlot will be dedicated along the western property line for stormwater conveyance purposes. In general, off-site runoff will be channeled through this conveyance to a pipe underneath the median in proposed Fireside Boulevard to drain into two detention ponds shown Outlot 2. A concept plan shows a bike path extending east from the end of the boulevard between the two detention basins to provide a future pedestrian connection to the undeveloped University lands to the east. The concept plan also shows various unspecified plantings in the median that will be maintained privately subject to a separate maintenance agreement between the subdivision and the City.

Inclusionary Zoning

The developer proposes a total of 160 owner-occupied dwelling units in the project, consisting of 88 single-family units, 40 two-family units and 32 townhouse units. The applicant has submitted an Inclusionary Dwelling Unit Plan (IDUP) indicating his intent to comply with the inclusionary zoning provisions of the Zoning Ordinance. The IDUP indicates that 13 of the 88 single-family lots, 6 of the two-family units and 5 of the townhouse unit will meet the affordability criteria, with 16 units to be provided to families earning 80 percent of the area median income (AMI) and 8 to be provided to families earning 70 percent of the AMI. The 30 multi-family units in the southwest corner of the development will be rental units and are not subject to inclusionary zoning requirements. The applicant indicates all 24 affordable units in the subdivision will be will contain two bedrooms and 1,600 square feet in area. Staff does not believe the secondary dwelling units are subject to inclusionary zoning, which applies to principal dwelling units.

The 24 affordable units proposed satisfies the requirement that at least 15 percent of the dwelling units in the development are affordable under the Zoning Ordinance provisions. Approximately 15% of each owner-occupied unit type is also provided. The units are well dispersed throughout the development and include one of the units within designated twin-homes and single-family lots throughout the R2T portions of the plat.

The applicant has not formally requested any revenue offsets for this project. However, it appears that the developer may receive a modest density bonus for most of the area along Wilrich Road.

The Elderberry Neighborhood Development Plan identifies the subject site for low-density residential uses up to 8 units an acre. The neighborhood plan originally showed low to medium-density residential uses along the north side of a planned east-west collector street to be located on the adjacent property south of the site. However, the platting of the Blackhawk Church Town Center development southwest of the subject site pulled this east-west collector, Wilrich Road, further north than planned, thereby placing the low to medium-density residential lands on the

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subject site. Low to medium-density areas in the neighborhood plan are recommended for 8-11 units an acre.

Staff has determined the density of the single- and two-family component of the project located along and north of Azur Avenue to be approximately 6 units per acre based on 128 total units occupying 21.17 net acres of land. For the 32 owner-occupied units located along Wilrich Road, a density of 7.76 units an acre is proposed, based on 32 units occupying two lots containing 4.12 acres total. If the 30 multi-family units on Lot 10 were to be owner-occupied, the density would jump to 11 units an acre. For purposes of determining whether a density bonus applies, the Zoning Ordinance requires that the midpoint of the density range of a neighborhood development plan must be used to determine the density bonus a project will receive if no permanent zoning already exists, except in the case of areas designated for low-density residential development, where the baseline is 6 units an acre. The project will not receive a density bonus unless the density of the rental multi-family units is included, in which that portion of the project would receive a 9-unit bonus based on the 9.5-unit an acre midpoint of the low-medium density range being applied to 5.65 acres of land.

By allowing the density recommended along the east-west collector street to be shifted north onto the applicant's property as proposed, staff believes that the project is being permitted to develop at densities that would not otherwise be recommended by the neighborhood development plan. While the Planning Division does not object to the shifting of Wilrich Road north to follow the southern edge of the proposed subdivision, staff believes that this does represent a density bonus that should be factored into the approval of the development and its IDUP.

ANALYSIS & CONCLUSION

Kitty Rankin, the City's preservation planner, has prepared a brief report regarding the three existing houses to be demolished to accommodate the proposed subdivision. The report indicates that the farmhouse is not of historical significance and is not a candidate for landmark designation due to alterations that have occurred over the life of the house. Planning Division staff feels that the Plan Commission can find the demolition standards met with this request and allow the demolition of the three homes. While the 1902 farmhouse has a pleasant exterior, it is likely that the cost to restore and modernize the structure, which appears to be in average to below average condition on the inside based on the photos provided by the applicant, will exceed its value.

As noted above, the Elderberry Neighborhood Development Plan identifies the subject site for low-density residential uses up to 8 units an acre. Three-quarters of the proposed development will be developed following this land use recommendation, with a net density of 6 units an acre

proposed. However, the remaining property will be developed at densities higher than previously identified for the subject site. Based on the relocated alignment of a planned east-west collector street initiated in the Blackhawk Church Town Center development, the developer proposes to introduce low to medium-density uses with a density range of 8-11 units an acre into the project. The low to medium-density uses were recommended for the north side of the east-west collector street, which was originally planned to extend across the adjacent parcel to the south. The plan proposed the low to medium-density uses along the north side of the collector street to serve as a transition between more intensive medium-density and neighborhood commercial uses closer to Mineral Point Road and the lower density uses further north.

The Planning Division does not object to the continuation of the relocated collector street alignment with the proposed subdivision and the attendant shift of the low to medium-density residential uses along its north side. Staff believes that the goals and objective of the Elderberry Neighborhood Development Plan can be achieved despite the modification and would note that it is not uncommon for the exact street alignments and related land use patterns recommended in a neighborhood development plan to be adjusted slightly during the course of plan implementation. Staff feels that the townhouses and apartment building proposed along the southern edge of the development will accomplish the goal of providing a transition from the denser medium-density and commercial uses proposed along Mineral Point Road to the low-density uses proposed further north towards Elderberry Road recommended in the plan. It also appears that the densities within the development will adhere to the ranges in the plan.

In reviewing the design of the subdivision, the Planning Division feels that the lots proposed will satisfy the lot design standards in the Zoning Ordinance and Subdivision Regulations. While the dwelling unit types are still somewhat segregated, the developer has made a reasonable effort to provide a diversity of housing types throughout the development and will use the more flexible planned unit development zoning classification to allow the non single-family elements of the project to better blend with the R2T "traditional neighborhood" single-family units, primarily by matching required yards. Similar design consistency would be more difficult to achieve using standard R3 two-family zoning.

Staff feels that the general development plan provides an acceptable framework for the two-family, townhouse and apartment components of the project to be reviewed in the future under subsequent specific implementation plans. However, the general development plan relative to the two-family units north of Azur Avenue should be clarified to identify the building envelopes those buildings will be constructed in so that those units can be provided with usable open space commensurate with the nearby single-family residences. The programming of the greenspace shown at the center of the twin-homes and townhomes south of Azur will also be interest to staff at the time that specific implementation plans are submitted for that portion of the planned unit

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development. Staff recommends that this greenspace be made available to residents of both condominium projects.

The Urban Design Commission reviewed the general development plan on April 23, 2008 and recommended final approval (see attached reports).

RECOMMENDATIONS

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 3343-3344, rezoning 9305-9437 Elderberry Road from Temp. A (Agriculture District) to R2T (Single-Family Residence District) and Planned Unit Development, General Development Plan (PUD-GDP), and the preliminary and final plats of Woodstone to the Common Council with recommendations of **approval**, and **approve** the demolition of three single-family residences on the property, all subject to input at the public hearing and the following conditions:

[Note: The Plan Commission's recommendation on the zoning map amendment will be on a Second Substitute of the ordinance, as noted on the agenda. The previous two versions addressed minor drafting errors stemming from outdated addresses, etc.]

1. Comments from reviewing agencies.
2. That the general development plan be revised per Planning Division approval as follows:
 - a.) provide a dimensioned building envelope for each two-family site located north of Azur Avenue that depicts the yards proposed with the zoning text;
 - b.) provide for the unified use and programming of the open space shown on Lots 10-12 and 103-104 as part of the specific implementation plan(s) for those projects.
3. That the zoning text be revised per Planning Division approval as follows:
 - a.) that the statement of purpose be revised to only read as follows: "This zoning district is established to allow for the construction of 40 duplex units, 32 townhouse units, and 30 apartment units on 16 lots within the proposed Plat of Woodstone, as shown on the attached plans." [The remaining information is best located in the letter of intent.]
 - b.) the permitted uses shall be listed as follows:
 - single-family residences, attached and detached;
 - two-family residences;
 - multi-family residences
 - [accessory uses as currently listed].
 - c.) in lieu of the table, the front yards shall be listed as follows: "In general, a 15-foot

yard shall be provided adjacent to any public street, except along Bear Claw Way and Wilrich Road, where a 25-foot yard shall be provided, and along Elderberry Road, where a 30-foot yard shall be provided.” [A note may be added compelling all or a portion of the street-side walls to be located at the street-side yard line if desired by the developer.]

- d.) the family definition shall be as follows:
 - the family definition for all of the two-family homes shall coincide with the R3 zoning district;
 - the family definition for all of the townhouse and apartment units shall coincide with the R4 zoning district.
 - e.) signage shall be limited to the maximum permitted in the R4 zoning district for the two-family and townhouse condominiums and apartment building; signage shall be limited for the two-family homes north of Azur Avenue to the signage permitted in the R2 zoning district; all signage shall be approved by the Urban Design Commission and Zoning Administrator;
 - f.) parking shall only be noted “as shown on approved specific implementation plans.” [Suggested parking ratios may be noted in a revised letter of intent prior to recording of the general development plan.]
4. That the final plat be revised per Planning Division approval prior to final approval for recording as follows:
- a.) that the lots proposed for secondary dwelling units be identified on the face of the plat, which shall also include the following note: “All secondary dwelling units shall be subject to the requirements contained in Section 28 of the Madison General Ordinances.”
 - b.) that a 30-foot building setback line be provided for all lots abutting future Elderberry Road.
5. That the applicant submit a final Land Use Restriction Agreement(s) and Inclusionary Dwelling Unit Plan for this subdivision prior to recording as required by the Planning Division and Community Development Block Grant Office.

Elderberry Road

Three houses on the periphery are proposed for demolition to make way for a new subdivision development.

They are:

7191 Elderberry

A one-story frame ranch house that appears to date to the 1950s of no architectural or known historical significance.

7247 Elderberry

A one-story frame ranch house that appears to date to the ca, 1960 of no architectural or known historical significance.

7197 Elderberry

A two-story frame vernacular Queen Anne farmhouse that appears to date to the 1890s. The farmhouse has been altered by the enclosure of the front porch and later additions. It is of no known architectural or historical significance.

AGENDA # 9

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION	PRESENTED: March 26, 2008
TITLE: 7197 Elderberry Road – PUD-GDP for 38 Duplexes, 32 Townhomes and 30 Apartment Units. 9 th Ald. Dist. (09657)	REFERRED:
	REREFERRED:
	REPORTED BACK:
AUTHOR: Alan J. Martin, Secretary	ADOPTED: POF:
DATED: March 26, 2008	ID NUMBER:

Members present were: Lou Host-Jablonski, Marsha Rummel, Bruce Woods, Richard Slayton, John Harrington, Bonnie Cosgrove and Jay Ferm.

SUMMARY:

At its meeting of March 26, 2008, the Urban Design Commission **GRANTED INITIAL APPROVAL** of a PUD-GDP located at 7197 Elderberry Road. Appearing on behalf of the project were Dan Heffron, Stephen Tremlett and Jason Valerius, all representing Pheasant Ridge, LLC. Prior to the presentation staff noted that the Planned Unit Development-General Development Plan (PUD-GDP) component of this subdivision plat is similar to its utilization as part of the numerous Veridian subdivisions utilizing a mixture of conventionally zoned parcels in combination with PUD zoned lots which provides an alternative for the development of lots requiring flexibility for a diversity of housing types. The project provides for the development of 38 duplex units, 32 townhome units and 30 apartment units on 15 lots under the proposed PUD-GDP zoning designation as part of the subdivision plat, in combination with 90 conventionally zoned R2T single-family lots. The PUD-GDP supports the development of 10 duplex lots; 1-2 story structures featuring a smaller front yard setback, the development of a 3-story, 30-unit apartment building with underground parking on a 1.6 acre parcel located at the intersection of Bear Claw Way and Warwick Drive, the development of two, 2+ acre lots featuring a combination of 32 condominium townhouse units with underground parking and the development of two lots located along the south side of Slate Street with a combined 9 duplex buildings. Following the presentation the Commission noted the following:

- The development of a round-a-bout off of the southwesterly corner of the subdivision plat adjacent to the proposed 30-unit apartment building located on Lot 11 (an element of the PUD-GDP) should be adequately sized for bike and pedestrians, visibility, view distance may be effected by the building's proximity to the corner and effect bike and pedestrian circulation.
- Consider the use of a concave building form on the site to mimic the form of a round-a-bout.
- Like order and relationship between buildings, need to study footprint for large mass buildings.
- Make the center greenspace of Woodstone Boulevard between lanes larger to provide for more public use as designed skimped.
- Look at providing small rain garden/rain water detention areas throughout the plat. In addition to enlarging the greenspace at the center of Woodstone Boulevard enhance its appearance with trees, including consideration for seating areas, artistic features around the stormwater detention pond.

- Plan on providing a bike/pedestrian path connection through the stormwater detention pond area to the greenway now, not later. Resolve the termination of the green strip on the westerly perimeter boundary of the site instead of stopping.
- Attempt to make all streets ADA compliant with a 5% grade, especially those adjacent to the attached townhomes on the southwesterly corner of the subdivision plat to be zoned PUD-GDP.

ACTION:

On a motion by Barnett, seconded by Slayton, the Urban Design Commission **GRANTED INITIAL APPROVAL**. The motion was passed on a vote of (7-0). The motion required further address of the above stated concerns, with the Commission noting that many areas of the issues relevant to the subdivision plat were primarily to those areas not to be zoned PUD-GDP, where potential modifications to these areas within the proposed subdivision plat would ultimately affect the configuration, size and other elements of those lots to be proposed rezoned PUD-GDP, therefore appropriate to be the subject of the Commission's recommendations. The Commission further noted the need to address the following:

- Basic network of streets, building types and uses are acceptable where the development of Woodstone Boulevard needs to provide for a wider greenspace at its center, as well as tree and other amenities as noted within the above report.
- Further development and analysis of stormwater detention pond as a public space, as well as providing connectivity to the adjacent greenway areas to the west, as well as the enhanced greenspace amenities along Woodstone Boulevard and consideration for connectivity to lands to the east.
- Consider realigning the southerly green strip adjacent to the eastern boundary of the site to provide for an extension of Woodstone Boulevard to the east.
- Provide for the refinements to the round-a-bout circle as well as the orientation of the proposed apartment building off of the southwesterly corner of the subdivision plat (zoned PUD-GDP).
- Consideration for the realignment of Outlot 1 with the centrally located greenspace within Woodstone Boulevard and Outlot 2 the stormwater detention pond should provide for both bike and pedestrian connectivity.
- Make sure that the round-a-bout is adequately sized and should relate to the building type and design on Lot 11.
- Provide alternatives to the concentration of stormwater detention facilities on proposed Outlot 2 only.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 6, 7, 7, 7, 8.5 and 9.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 7197 Elderberry Road

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	8	-	-	9	-	6	9	9
	-	-	-	-	-	-	-	7
	-	-	-	-	-	-	-	8.5
	7	-	-	6	-	6	6	6
	7	-	-	-	-	-	-	7
	6	6	-	-	-	6	6	6
	-	-	-	-	-	-	-	7

General Comments:

- Awesome job. Plan and build ped and bike connections to adjacent properties and area parks.
- Impressive first meeting and plan. Message to Council – UDC needs to have (some) jurisdiction over creation and approval of plats. Staff plats something and 10 years later it may get developed...all major decisions have been made. UDC should have presentations about context. If developers need to provide context, so should staff.
- Very good beginning. Look at Woodstone Boulevard as heart – larger/wider?
- Interesting plan, good start.
- Nice site layout. Great opportunity to combine stormwater and pedestrian/bike connectivity.
- Great start and connection of building types. Arrangement of larger buildings can enhance aesthetics.
- Fine beginning.



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
1 866 704 2315 Textnet



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

Principal Engineers
Michael R. Dailey, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
Gregory T. Fries, P.E.

Facilities & Sustainability
Jeanne E. Hoffman, Manager
James C. Whitney, A.I.A.

Operations Manager
Kathleen M. Cryan


Hydrogeologist
Joseph L. DeMorett, P.G.

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

Financial Officer
Steven B. Danner-Rivers

DATE: April 28, 2008

TO: Plan Commission

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

SUBJECT: 9305, 9313 and 9437 Elderberry Road – Woodstone Plat, Demolition, and Rezoning
7197 Elderberry Road (application references non-current old town address)

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. Outlot 1 shall be clearly designated as "Dedicated to the Public for Stormwater Conveyance Purposes" or designated as public easement, whichever is applicable.
5. Outlot 2 location and off-plat stormwater discharge issues shall be resolved to the satisfaction of the City Engineer. If and when approved, the Outlot shall be clearly designated as "Dedicated to the Public for Stormwater Detention Pond Purposes".
6. The temporary easement locations and respective geometry proposed at the public street ends along the east side of the plat shall be approved by the City Engineer and Traffic Engineer. Include approved termination language in the plat notes to prevent the need to release these easement encumbrances in the future.
7. Any additional public easements, within or adjacent to this proposed plat, necessary to develop the public infrastructure for the same, shall be created by the plat or by separate conveyance for lands outside the plat. The owner/developer is required to negotiate necessary off-plat public land interests. If negotiations are not successful, the City of Madison can assist with condemnation of these necessary rights at the sole cost to the owner/developer with an expected six (6) to eight (8) month condemnation time schedule.
8. Lots 11, 12 and 104 may not be developable until adjacent lands are platted. The City of Madison typically requires all frontages of lots to be improved prior to sale. Because only one half the street is dedicated adjacent to these lots, fully improving the street is impossible. If the lots are allowed to be developed and sold, special deed restrictions may be required in order to protect the new owner.
9. Fireside Blvd is a short local street and is proposed to be 92 feet wide. The Developer is proposing to construct a grass median. The Developer shall be required to secure the private maintenance of this section of grass median or shall revise the street width to the standard width of 60 feet.

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10. The City of Madison has no right or authority to discharge storm water onto property owned by the UW Regents. The applicant shall obtain such easements/permission or shall match volumetric discharge to the existing conditions for storms including the 1, 2, 5, and 10 year events.
11. The Developer shall complete and erosion control plan and complete weekly self-inspections of the site and post the inspections to the City website in accord with Madison General Ordinance Chapter 37.
12. Revise plat to provide sufficient right-of-way or easement to allow for storm sewer installation along Bear Claw Way, from Wilrich Road to Azur Avenue.
13. Off-site sanitary sewer is required for this development to take place for which there will be City of Madison sewer impact fee area charges. The City is in the planning stages for the sanitary sewer extension to serve this development – "Elderberry Sewer Extension". Depending on the selected route for the sanitary sewer, easements may need to be acquired by the City of Madison within the adjacent University owned Lands.
14. If the Developer proposes to plat lands prior to establishment of the Sewer Impact Fee District, the Developer shall execute and record a waiver of assessments for said Impact Fees.
15. The City may not be able to accommodate the Developer's proposed schedule. Construction of homes cannot begin until the City has an approved sewer extension project, bid and schedule for construction.
16. The Developer shall be responsible for installation of public sanitary sewer within all streets including Wilrich Road.
17. Public sanitary sewer easements shall be required along the east side of all lots along the eastern boundary of the plat.

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: 9305, 9313 and 9437 Elderberry Road – Woodstone Plat, Demolition, and Rezoning
7197 Elderberry Road (application references non-current old town address)

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.
- 1.3 The Developer is required to pay Impact Fees for the _____ Impact Fee District for Lot(s) _____ of the _____ Plat/CSM. The current rate is \$ _____/1000SF for a total of \$ _____. The Developer shall select one of the following two options for payment of these fees:
 - 1) Impact Fees shall be paid in full prior to Engineering sign-off of the plat/csm.
 - 2) The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall have fourteen (14) days after receiving the invoices to pay the outstanding impact fees. The following shall be 9-10

required prior to plat sign off;

- a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a CADD file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision..
- b) All information shall transmitted to Janet Dailey by e-mail at Jdailey@cityofmadison.com, or on a CD to:

 Janet Dailey
 City of Madison Engineering Division
 210 Martin Luther King Jr. Blvd
 Room 115
 Madison, WI 53703
- c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.

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 WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT(S).

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 18 feet wide along Wilrich Road and future street adjacent to Lot 11.
- 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 _____

- 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 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.

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- 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.
- 2.16 Public Sanitary Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sanitary Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sanitary sewer facilities.
 - b. No above-ground improvements shall be located in the Public Sanitary Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public sanitary sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Sanitary Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Sanitary Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Sanitary Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.17 The Public Sidewalk Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
 - b. No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.18 The Public Storm Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Storm Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public storm sewer facilities.
 - b. No above-ground improvements shall be located in the Public Storm Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public storm sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Storm Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
The Public Storm Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

- 2.19 The Public Water Main Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- The property owner reserves the right to use and occupy the Public Water Main Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public water main facilities.
 - No above-ground improvements will be allowed in the Public Water Main Easement Area(s) by the property owner. **(Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)**
 - Plantings and landscaping within the Public Water Main Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - The property owner shall not change the grade of the Public Water Main Easement Area(s) without the prior written approval of the City's Engineering Division.
 - The Public Water Main Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

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 improvement to Elderberry Road including sidewalk and curb and gutter, pavement and storm sewer.
- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.11 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of street improvements along Wilrich Road 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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.

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- 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.
- 3.17 All proposed street names shall be approved by the City Engineer. Applicant shall contact Lori Zenchenko (608-266-5952) with street name requests.
- 3.18 Installation of "Private" street signage in accordance with 10.34 MGO is required.
- 3.19 Coordinate all necessary new interior addresses associated with this proposed development with City Engineering Program Specialist Lori Zenchenko lzenchenko@cityofmadison.com or (608) 266-5952

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.

NOTE: IN THE EVENT OF A CITY OF MADISON PLAN COMMISSION AND/OR COMMON COUNCIL APPROVED REDIVISION 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.

Information to Surveyor's: In addition to notes such as this, WI State Plat Review now enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail.

- 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.

NOTE: IN THE EVENT OF A CITY OF MADISON PLAN COMMISSION AND/OR COMMON COUNCIL APPROVED REDIVISION OF A PREVIOUSLY SUBDIVIDED PROPERTY, THE UNDERLYING PUBLIC EASEMENTS FOR DRAINAGE PURPOSES ARE RELEASED AND REPLACED BY THOSE REQUIRED AND CREATED BY THE CURRENT APPROVED SUBDIVISION.

Information to Surveyor's: In addition to notes such as this, WI State Plat Review now enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail.

- 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 management 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 the plat/csm, 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-year storm events.
 - Detain the 2, 10, & 100-year storm events.
 - Control 40% TSS (20 micron particle).
 - Control 80% TSS (5 micron particle).
 - Provide infiltration in accordance with NR-151.
 - Provide substantial thermal control.
 - Provide oil & grease control from the first 1/2" of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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.

- 4.12 A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact Janet Dailey (608-261-9688) 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 land division (and subsequent obsolesces of the existing parcel).

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 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.
- 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 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 WCCS Dane Zone, 1997 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 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 for current tie sheets and control data. If a surveyor encounters an area without a published WCCS Dane Zone 1997 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 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.

- 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 (cite 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.
- 6.5 Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), final CSM must be submitted to Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the FINAL CSM in PDF form is preferred. Transmit to epederson@cityofmadison.com

Date: March 12, 2008

To: The Plan Commission

From: Larry D. Nelson P.E., Interim General Manager

Subject: FINAL PLAT, DEMOLITION, – Woodstone, 7197 Elderberry Road
PRELIMINARY PLAT, REZONING

The Madison Water Utility has reviewed this proposed preliminary plat, final plat, demolition, rezoning, 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 wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

This property is not in a Wellhead Protection District.

Final plans shall be submitted to City Engineering (Janet Dailey) for verification of compliance with these comments.

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

Larry D. Nelson, P.E.

cc: Janet Dailey



Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

Suite 100
215 Martin Luther King, Jr. Boulevard
P.O. Box 2986
Madison, Wisconsin 53701-2986
PH 608 266 4761
TTY 866-704-2315
FAX 608 267 1158

March 27, 2008

TO: Plan Commission

FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager

SUBJECT: **9305-9437 Elderberry Road – Rezoning / Preliminary and Final Plat–R2T & PUD (GDP) / Woodstone / Town of Middleton Sec. 21**

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. 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 WITHIN FOURTEEN DAYS OF 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.
2. The final Plat's right-of-way will need to be reviewed and approved prior to final sign-off.
3. The street improvements may require traffic calming features to be determined by the City Traffic Engineering.

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

4. 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.

GENERAL OR STANDARD REVIEW COMMENTS

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

5. 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.

6. Utility easements shall be provided as follows:

Between Lots	Between Lots	Between Lots
Westerly 6 ft of Lot 1	65 & 66	84 & 85
4 & 5	67 & 68	93 & 94
9 & O.L. 1	70 & 71	99 & 100
14 & 15	72 & 73	102 & 103
19 & 20	74 & 75	
36 & 37	77 & 78	
58 & 59	Easterly 6 ft of Lot 80	
61 & 62	Easterly 12 ft of Lot 81	

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

8. The developer will need to demonstrate/provide how private streetlights will be installed and maintained in the public alleys. The plat shall provide the following note on the face of the plat: "The City will not install lighting in the alleys, but the developer or property owners may request the City to approve a private light(s) in the alley right-of-way. Such private light(s) to be operated and maintained by private interests."

9. The applicant shall add to the Zoning Text "Maintenance of Traffic" Measures section with the following:

MAINTENANCE OF TRAFFIC MEASURES

Several streets within the GDP and plat include special traffic islands and traffic calming measures within the public right-of-way. The _____ (Association) shall be responsible, at the Association's sole cost and expense, for the maintenance and upkeep of such physical traffic measures. Such maintenance and upkeep shall be performed at the discretion of the Association except to the extent required by the City of Madison and shall include landscaping. If the landscaping is not maintained, the City will give notice to the _____ (Association) that it is not being maintained. If the Association does not respond to the notice within 60 days, the physical traffic measures will be topped with an asphalt pavement.

The _____ (Association) and persons involved with the maintenance and upkeep of the special traffic measures shall indemnify and hold harmless the City of Madison and its Boards and Commission and their officers, agent and employees from and against all claims, demands, loss of liability of any kind or nature for any possible injury incurred during maintenance and upkeep.

10. 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: Jason Valerius
 Fax: 608-242-5664
 Email: jvalerius@msa-ps.com

DCD:DJM:dm

9-10



Department of Public Works
Parks Division

City-County Building, Room 104
210 Martin Luther King, Jr. Boulevard
P.O. Box 2987
Madison, Wisconsin 53701-2987
PH: 608 266 4711
TTY/Textnet: 866 704 2315
FAX: 608 267 1162

April 30, 2008

TO: Plan Commission
FROM: Simon Widstrand, Parks Development Manager
SUBJECT: **Woodstone Plat**

S.W.

1. The neighborhood plan does not call for park dedication on this property, so the requirement shall all be met as a fee in lieu of dedication.
2. The developer shall pay park development fees of \$325,983.90 for the single family and duplex lots, and must pay additional fees in the future for the multifamily units. The developer must select a method for payment of park fees before signoff on the final plat.

Park Dedication required for the single family and duplex units = 110 units @ 1100 square feet per unit = 121,000 square feet. The Fee in Lieu of Dedication is based on current property values up to a maximum. The maximum rate for fee in lieu of dedication is \$1.91 per square foot for 2008.
Fee = 121,000 @ \$1.91 = \$231,110

Park development fees = (110sf/dp units @ \$862.49) = \$94,873.90

Total Park Fees for 1 and 2 unit lots is \$325,983.90. Fees will also be due for the multifamily units in the future.

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.

Please contact Simon Widstrand at 266-4714 or swidstrand@cityofmadison.com if you have questions regarding the above items.

Standard Park Fees and Payments:

Parkland Dedication Requirement is 1100 square feet per single family or duplex unit, 700 square feet per multifamily unit, 350 square feet per elderly unit or single room occupancy.

Fee in Lieu of Dedication is required when City does not take all actual land dedication. The fee is based on current property values up to a maximum of \$1.91/square foot for 2008.

Max fee in lieu per unit: SF = 1100 sq.ft. @ \$1.91 = \$2101.
MF = 700 sq.ft. @ \$1.91 = \$1337.
E-SRO = 350 sq.ft. @ \$1.91 = \$668.50.

Total combined fees: **SF = \$2,963.49**
 MF = \$1,891.45
 E-SRO = \$945.73

Parkland impact fees and park development impact fees shall be paid for this project. Payment checks shall be payable to the City of Madison Treasurer. All questions, payments and deliveries shall be made to the office of the Madison Parks Division. Prior to City signoff on this project, the developer shall select one of the following options for paying these fees:

1. Payment of all fees in a lump sum prior to City signoff on the project.
2. When fees exceed \$20,000, the developer may pay half the fees and provide a two-year letter of credit at no interest for the remaining half of the fees, both prior to City signoff.
3. When fees exceed \$50,000 for plats being built with phased subdivision improvement contracts, the developer may pay the fees due for the number of units in each contract phase, paid at the time of contract execution, and at the fee rates then in effect. Under this option, the fees shall be calculated and prorated to each lot on the development, and the developer shall record a notice of the outstanding impact fees for each lot prior to receiving City signoff for the project.
4. The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall have fourteen (14) days after receiving the invoices to pay the outstanding impact fees. The following shall be required prior to plat sign off:
 - a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a Cadd file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision.
 - b) All information shall be transmitted to Janet Dailey by e-mail at Jdailey@cityofmadison.com, or on a CD to:
Janet Dailey
City of Madison Engineering Division
210 Martin Luther King Jr. Blvd
Room 115
Madison, WI 53703
 - c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.
 - d) 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 WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT(S).



CITY OF MADISON FIRE DEPARTMENT

Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295
Phone: 608-266-4484 ♦ FAX: 608-267-1153

DATE: April 4, 2008
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **7197 Elderberry Rd.**



The City of Madison Fire Department (MFD) 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. none

GENERAL OR STANDARD REVIEW COMMENTS

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

2. All portions of the exterior walls of newly constructed one- and two-family dwellings shall be within 500-feet of at least one fire hydrant. Distances are measured along the path **traveled by the fire truck as the hose lays off the truck.** See MGO 34.20 for additional information.
3. As required by MGO 10.34 and IFC 505.1, all residential and commercial buildings must have the approved address posted. The address numbers shall be 4 inches in height, numbers shall be in contrast to the background and visible from the street.

Please contact Scott Strassburg, New Construction Inspector at 608-261-9843 if you have questions regarding the above items.

cc: Bill Sullivan

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: April 23, 2008

TITLE: 9313 Elderberry Road - PUD-GDP,
Duplex, Townhouse and Multi-Family
Development. 9th Ald. Dist. (10055)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: April 23, 2008

ID NUMBER:

Members present were: Marsha Rummel, Todd Barnett, Richard Slayton, John Harrington, Bonnie Cosgrove, Richard Wagner and Lou Host-Jablonski.

SUMMARY:

At its meeting of April 23, 2008, the Urban Design Commission **GRANTED FINAL APPROVAL** of a PUD-GDP located at 9313 Elderberry Road. Appearing on behalf of the project were Jason Valerius, representing Pheasant Ridge, LLC; and Daniel R. Hoffron. The modified plans as presented featured the following:

- Woodstone Boulevard at the center of the plat has been modified to be broader to provide for enhancements with the addition of trees, seating areas, gathering nodes, in combination with its connectivity to a stormwater detention pond area to the east.
- The round-a-bout adjacent to a PUD zoned lot to be developed for multi-family purposes has been enlarged so as not to conflict with its development (Lot 11).
- A request to relocate a proposed outlot currently located in the southwest portion of the plat to provide an open space connector to the enhanced Woodstone Boulevard westerly; could not be accommodated because it is necessary to provide for drainage in its current location.
- Specified setbacks and build-to lines have been provided in the PUD text as requested, along with the confirmation that the streets in the plat can be maintained at 5-6% to be ADA compliant.

Following the presentation the Commission noted the following:

- Like the shape of the enhanced Woodstone Boulevard.
- Modify the text to note the use of full cut-out fixtures is "required."
- Modify the text for "Type 2 House, Quantative Standards" to require that there is no less than 20% of the building to be built to the "build to" line. In addition modify the text for "Type 3 Town Home, Quantative Standards" to require that there is no less than 50% of the building to be built to the "build to" line.

 **DRAFT**

ACTION:

On a motion by Rummel, seconded by Harrington, the Urban Design Commission **GRANTED FINAL APPROVAL**. The motion was passed on a vote of (7-0). The motion required address of the above stated concerns.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 5, 6, 6, 6, 7, 7 and 7.5.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 9313 Elderberry Road

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	6	-	-	-	-	6	-	6
	-	-	-	-	-	-	-	6
	7	-	-	6	-	7	7	7
	-	-	-	-	-	-	-	7.5
	-	-	-	-	-	7	6	6
	7	-	-	7	-	7	-	7

General Comments:

- Revisit roadway slopes for ADA (5%) adaptability.
- Good urban design in a subdivision is welcomed.
- Very good layout for this neighborhood development.
- Comprehensive well connected system/like boulevard shape.