



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

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February 28, 2007

Mike Marty  
Calkins Engineering, LLC  
5010 Voges Road  
Madison, Wisconsin 53718

RE: Approval of a request to rezone 0.96 acres located at 3160 Jeffy Trail from R2T (Single-Family Residence District) to R4 (General Residence District), and approval of the final plat of "Second Addition to Hawks Creek" creating one single-family lot, one multi-family lot and eight outlots for future development, stormwater management and public parkland. (Rick McKy).

Dear Mr. Marty:

At its February 27, 2007 meeting, the Common Council **approved** your client's rezoning and final plat for the "Second Addition to Hawks Creek" subdivision subject to the following conditions of approval from reviewing agencies:

**Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following eighteen (18) items:**

1. Prior to development of Lot 77 [the proposed multi-family lot], it shall be required to meet the following stormwater management requirements: 80% TSS Control; infiltration; thermal control; oil & grease, and; 100-year detention.
2. Prior to development Lot 77 shall pay Impact Fees into the Upper Badger Mill Creek Impact Fee District.
3. Lot 77 will need to be served with either a private sanitary sewer pumping station or by a gravity sewer system draining to the south to the MMSD sewer in the vicinity of Raymond Road. A gravity sewer system would require sanitary easements on the proposed plat/ neighboring properties beyond the limits of this development.
4. Prior to development of this proposed plat, necessary off-plat lands lying north of this proposed plat, owned by Farin, shall be deeded to the City of Madison for public street purposes for Jeffy Trail. These lands (part of Lot 4, CSM 4367) currently remain in the Town of Verona and are adjacent to the previously conditionally approved plat of First Addition to Hawks Creek.
5. City of Madison and Dane County Register of Deeds records indicate that the lands in this proposed plat are still owned by Kathleen A. & Stanley R. Morley. Updated title work and documentation of land transfer to Badger Mill Creek, LLC ownership is required prior to plat recording.
6. Plat application has been made under the obsolete Town of Verona address of 3120 Jeffy Trail. Please note that upon annexation of these lands to the City of Madison, a new city address of 2425 Jeffy Trail has been assigned to this property and should be reflected on all approval applications.

7. 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.
8. 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.
9. The developer shall construct Madison standard street improvements for all streets within the plat.
10. 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.
11. 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.
12. 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:

*“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.

13. 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 infiltration in accordance with NR-151; provide substantial thermal control, and; provide oil & grease control from the first 1/2” of runoff from parking areas.
14. 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. Please contact Jim Bertolacini of the WDNR at 275-3201 to discuss this requirement.
15. 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.

16. A minimum of two (2) working days prior to requesting City Engineering signoff on the 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 land division (and subsequent obsolesces of the existing parcel).
17. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.

18. 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.

**Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following four items:**

19. The plat is subject to special assessments or impact fees for Midtown Road Area-wide Assessment and Impact Fee District for traffic signals and associated intersection improvements based on Council adopted resolutions. These shall be cleared prior to final plat approval.

20. The plat shall provide a 15-foot wide pedestrian-bike easement along the southerly and westerly property line of Lot 77 from Jeffy Trail to the most westerly property line of lot 77 to be approved by the City Traffic Engineer.

21. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights and traffic signals prior to sign off.

22. 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 Scott Strassburg, Madison Fire Department, at 261-9643 if you have questions about the following comment:**

23. All portions of the exterior wall of newly constructed one and two-family dwellings shall be within 500 feet of at least one fire hydrant. Distances measured along the path traveled by the fire truck as the hose lay off the truck. See Section 34.20 of the Madison General Ordinances for more information.

**Please contact Dennis Cawley, Madison Water Utility, at 266-4651 if you have any questions regarding the following two items:**

24. All public water mains and water service laterals shall be installed by a standard City subdivision contract. The Water Utility will not need to sign off on the final plans, but will need a copy of the approved plans.

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

**Please contact Kathy Voeck, the Assistant Zoning Administrator, at 266-4551 if you have questions regarding the following two items:**

26. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit, to CDBG, a copy of the approved plan for recording prior to zoning sign off of the plat.
27. The face of the plat shall include the following statement. "Lot 77 is subject to the Inclusionary Zoning sections of Chapter 28 of the Madison General Ordinances. This requirement shall be satisfied by a separate recorded restriction."

**Please contact my office at 261-9632 if you have questions about the following item:**

28. That the applicant execute a revised Land Use Restriction Agreement (LURA) prior to final approval and recording of the plat that notes the second multi-family lot as Lot 77. In the alternate, the applicant may revise the final plat to change the lot numbers of the single-family and multi-family lots to reflect the lot numbers included in the recorded LURA. Please contact Hickory Hurie or Barb Constans, Community Development Block Grant Office, at 267-0740 regarding the preparation of any materials necessary to comply with Inclusionary Zoning, including the revised Land Use Restriction Agreement that must be executed and recorded prior to final approval of the plat.

**Please contact Si Widstrand, Parks Division, at 266-4711 about any park-related fees due prior to the recording of this final plat.** Future development on the multi-family lot will be subject to applicable park development fees as part of the review of that project. Future development of the multi-family lot shall meet the requirements for aesthetic management zones and backyard planting buffers as required by the High Point-Raymond Neighborhood Development Plan.

**Please note that the City Real Estate Office is reviewing the report of title provided with this plat and may have comments. That office will send any comments to you by fax. If you have any questions, please contact that office at 266-4222 for more information.**

Specific questions regarding comments or conditions should be directed to the commenting agency. Any appeal regarding the plat, including the conditions of approval, 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  
John Leach, Traffic Engineering  
Si Widstrand, Parks Division  
Scott Strassburg, Madison Fire Department  
Kathy Voeck, Assistant Zoning Administrator  
Dennis Cawley, Madison Water Utility  
Jeff Ekola, Real Estate Unit  
Norb Scribner, Dane County Land Records and Regulations