



## Report to the Plan Commission

May 2, 2011

**Legistar I.D. #22217**  
**2052 Woods Road**  
**Final Plat**

Report Prepared By:  
Timothy M. Parks, Planner  
Planning Division

---

**Requested Action:** Approval of the final plat of Hawks Valley, creating 81 single-family residential lots and 2 outlots for public stormwater management and parkland at 2052 Woods Road.

**Applicable Regulations & Standards:** The subdivision process is outlined in Section 16.23 of the Subdivision Regulations.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission forward the final plat of Hawks Valley to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

### **Background Information**

---

**Applicant & Property Owner:** Tony Heinrichs, Watermark JT, LLC; 2861 Index Road; Madison.

**Surveyor:** Ron Klaas, D'Onofrio Kottke & Associates; 7530 Westward Way; Madison.

**Proposal:** The applicant is requesting approval of a final plat creating 81 single-family lots, 1 outlot for public stormwater management and 1 outlot for a public park in R1 and R2T zoning. The applicant wishes to commence construction of the first phase of the subdivision once all regulatory approvals have been granted, with completion of the development anticipated in 2014.

**Parcel Location:** An approximately 28-acre parcel located in the southwestern quadrant of Mid Town and Woods roads; Aldermanic District 1 (Subeck); Madison Metropolitan School District.

**Existing Conditions:** Undeveloped land, zoned R1 and R2T (Single-Family Residence Districts).

#### **Surrounding Land Use and Zoning:**

North: Single-family residences in the Hawks Landing Golf Club subdivision, zoned R1 (Single-Family Residence District);

South: Single-family residences on large lots in the Town of Verona;

East: Single-family residence on a large lot and future single-family residences as shown on the approved preliminary plat of Hawks Woods Estates, zoned R1; University Ridge Golf Course, zoned A (Agriculture District); single-family residences in the Hawks Meadows subdivision, zoned R1 and R2T (Single-Family Residence Districts);

West: Undeveloped agricultural lands in the Town of Verona.

**Adopted Land Use Plan:** The Shady Wood Neighborhood Development Plan recommends that the subject site be developed with low-density residential uses in Housing Mix 1, which encourages small areas of duplexes, rowhouses and townhouses in addition to a wide range of single-family detached

residences and lots. The overall density of an individual development should not exceed 16 units an acre, with the overall density of the low-density residential district not to exceed 8 units an acre. An area along the western property line of the subject site is also recommended for stormwater management and park uses.

However, the zoning, land use and density of the subject site were established with the rezoning and preliminary plat approvals granted earlier this year (see next section).

**Environmental Corridor Status:** The property is located in the Central Urban Service Area; the City's request to amend the CUSA was approved by the Wisconsin Department of Natural Resources in August 2010. An area in the southwestern quadrant of the development site is located in the mapped environmental corridor coinciding with a recommendation in the Shady Wood Neighborhood Development Plan that this area be used for stormwater management and parkland.

**Public Utilities and Services:** The property will be served by a full range of urban services.

**Zoning Summary:** See the 'Final Plat Review' section that follows. Zoning staff indicates that there are no "Critical Zoning Items" affecting the subject site.

## **Previous Approvals**

---

On January 4, 2011, the Common Council approved a request to rezone 28 acres of land located at 2052 Woods Road from Temp. A (Agriculture District) to R1 and R2T (Single-Family Residence Districts), and approved a preliminary plat creating 81 future single-family residential lots and 2 outlots for public stormwater management and parkland.

The subject site was previously annexed to the City from the Town of Verona on July 18, 2006.

## **Final Plat Review, Analysis & Conclusion**

---

The applicant is requesting approval of the final plat of Hawks Valley creating 81 single-family lots and 2 outlots for public stormwater management and parkland in the R1 and R2T Single-Family Residence Districts from an L-shaped, undeveloped 28-acre parcel located in the southwestern quadrant of Mid Town and Woods roads.

Access to the Hawks Valley subdivision will be provided by two street connections each from Mid Town Road and Woods Road. From Mid Town Road, Ashworth Drive will extend into the subdivision from a point approximately 125 feet east of the western edge of the site before gradually curving to the east to form the northern edge of a park that will be dedicated to the City as Outlot 2. Ashworth Drive will continue east to intersect Woods Road opposite a future extension of Ashworth west from the future Hawks Woods Estates subdivision adjacent to Woods Road, which received preliminary plat approval in 2009. Further east on the subject site, Raptor Drive (previously Besra Drive) will extend as a north-south street from Mid Town Road through the subdivision. In addition to forming the eastern edge of the proposed park, Raptor Drive was located in a fashion that will facilitate development of the 5-acre parcel in the Town of Verona located immediately east of the site should that property wish to annex to the City and develop in the future. Further south in the subdivision, Grey Kestrel Drive will extend east to west from Woods Road across the development parallel to the southern edge of the site. This second east-west street will form the southern edge of the proposed park.

Lots 1-10, 45-59 and 65-81 of the final plat were rezoned to R2T, which requires a minimum of 44 feet of lot width, 80 feet of lot depth, and 5,000 square feet of lot area and includes design standards for the treatment of street-facing attached garages. The R2T lots proposed will exceed these minimums, with lots ranging in size from 7,260 square feet to 10,523 square feet and the narrowest lot width exceeding 60 feet.

Lots 1-10 will front onto Tiercel Drive and back onto Mid Town Road. These lots were shown as 120-foot deep lots on the approved preliminary plat. However, in order to satisfy a City Engineering Division condition of approval of the preliminary plat, which required the dedication of an additional 14 feet of right of way along the Mid Town Road frontage, the applicant revised the depth of these lots with the final plat to be 115 feet. The width of the right of way for Tiercel Drive was also reduced from 60 feet to 56 feet. Planning staff does not believe that these minor modifications to the subdivision will impact the ability to construct homes on these lots or the use of Tiercel Drive for local street and potential future inter-neighborhood bike route purposes.

A condition of the preliminary plat approval required that a 30-foot rear yard building line and 20-foot landscaped buffer be provided for Lots 1-10 parallel to Mid Town Road, which are shown on the proposed final plat. Another condition of the preliminary plat approval requiring that a note be included on the final plat stating that the 30-foot building setback line and 20-foot landscaped buffer strip are to be reserved for the planting and maintenance of trees or shrubs by the lot owners is also shown. The construction of buildings within the 30-foot area adjacent to Mid Town Road is prohibited.

The developer was also required to submit a detailed screening plan for the landscaping buffer strip parallel to Mid Town Road for Planning Division approval with the final plat. The planting plan submitted proposes the installation of a variety of shade and evergreen trees and shrubs within the 20-foot buffer strip atop a modest berm. Planning staff requests that a detailed grading plan for the planting strip be provided for approval prior to final signoff on the final plat, and that the planting plan be revised to note the size of the materials to be installed. Surety for the installation of the approved screening plan will be part of the Subdivision Improvement Contract for this portion of the subdivision, and the residences on Lots 1-10 will be required to show that the approved screening plan has been or will be implemented at the time individual building permits are requested for those lots.

The remaining residential lots to be created by this final plat will be zoned R1, which requires 65 feet of lot width, 100 feet of lot depth and 8,000 square feet of lot area. The proposed R1-zoned lots will range in size from 8,140 square feet to 13,539 square feet, and all will conform to the minimums required in the R1 zoning district.

In addition to the 2.05-acre Outlot 2 to be dedicated to the City a public park, the developer will dedicate an approximately 2.02-acre tract shown as Outlot 1 to the City for stormwater management purposes with this final plat.

In reviewing the final plat of Hawks Valley, the Planning Division believes that the proposed final plat substantially conforms to the approved preliminary plat, including the conditions of approval for the same, and will satisfy the lot design standards in the Zoning Ordinance and Subdivision Regulations.

## **Staff Recommendations, Conditions of Approval & General Ordinance Requirements**

Major/Non-Standard Conditions are shaded

---

### **Planning Division Recommendation** (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission forward the final plat of Hawks Valley located at 2052 Woods Road to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the following conditions:

1. That the screening plan shall be revised subject to Planning Division approval to include the size of plantings to be installed and a grading plan along and adjacent to the berm. The screening plan shall be included in the Subdivision Improvement Contract(s) for the phases of plat construction that include Lots 1-10.
2. That the following note be placed on the final plat: "At the time building permits are requested for the construction of new homes on Lots 1-10, the permit plans shall show that the approved screening plan on file for this subdivision with the Planning Division has been or will be implemented for those lots."
3. That the applicant enter into an agreement with the City for the installation and maintenance of any private landscaping materials to be installed in the Raptor Drive right of way at Mid Town Road.
4. That prior to final approval and recording of the final plat dedicating the stormwater and park outlots to the City, an adjustment to the environmental corridor map be approved by the Capital Area Regional Planning Commission or its staff to reflect the final platting of those outlots.
5. Note: As part of the preparation of the City-issued plans for the construction of Grey Kestrel Drive, the Planning Division will work with the developer and the City Engineering Division to finalize the design of that 70-foot right of way for and will provide input to the City Forester regarding the street trees to be planted by the City along that boulevard during build-out of the subdivision.

The following conditions have been submitted by reviewing agencies:

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

6. The applicant's surveyor shall revise the plat boundary to include only the lands within the City of Madison corporate boundary. That portion of owner's property located within the Town of Verona that is necessary for Mid Town Road right of way, shall be deeded to the City of Madison, yet remain in the Town of Verona jurisdiction. The applicant's surveyor has provided a map and legal description of the dedication area to the Office of Real Estate Services to be administered by Jeff Ekola by Real Estate Project No. 9512.
7. Coordinate with Engineering staff on the probable need for creating additional public storm sewer easements. If determined to be necessary, revise the final plat to provide a 20-foot wide public storm sewer easement across the west line of proposed Lots 28, 29, 30, and 31 for the public main discharging to the public storm water pond located on proposed Outlot 1.

8. This plat proposes to discharge the stormwater management area onto lands not controlled by the City of Madison. The developer shall be required to provide measures to fully mitigate this discharge or acquire an easement from the adjacent property to accept the drainage on that land.
9. This plat shall comply with all the stormwater management requirements imposed by the Capitol Area Regional Plan Commission. Additional information is required to determine if additional land dedication is needed to satisfy the requirement.
10. The applicant shall review the setbacks required by zoning with City Engineering to determine an appropriate drainage easement for the lots within this development. It is anticipated that some lots will have a 6-foot interior drainage easement while others will have a 5-foot interior easement.
11. Revise the proposed storm easements between Lots 32 and 33 and Lots 62 and 63 and show as part of Outlot 1. Alternatively, the developer may agree to install permanent paved paths with fencing to act as boundary identifiers.
12. This plat will require off-site gravity sewer and/ or an on-site lift station to serve the development. If an on-site lift station is proposed, additional easements for the lift station and force main may be required. Likewise if off-site gravity sewer is the preferred option, easements from the downstream property owner will need to be acquired at the developer's expense.
13. The developer shall install sidewalk and curb along Mid Town Road and Woods Road adjacent to the plat.

14. 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.
15. Two weeks prior to recording the final plat, a soil boring report prepared by a Professional Engineer, shall be submitted to the City Engineering Division indicating a ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9 feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
16. This development is subject to impact fees for the Lower Badger Mill Creek Impact Fee District for sanitary sewer only. All impact fees are due and payable at the time building permits are issued. The following note shall be put the face of the final plat: "Lots/ buildings within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."
17. The developer shall construct Madison standard street improvements for all streets within the plat.
18. The developer shall note that City funds for park frontage reimbursement are limited and will be determined at the sole discretion of the City.
19. The developer shall make improvements to Mid Town Road and to Woods Road to facilitate ingress and egress to the plat.

20. The developer shall note that the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat.
21. An erosion control plan and land disturbing activity permit shall be submitted to the City Engineering Division for review and approval prior to grading or any other construction activities. The Pre-construction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
22. The following notes shall be included on the final plat:
  - a.) All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.
  - b.) The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.

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.

Note: In addition to notes such as this, 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.

23. Prior to the issuance of building permits, the developer shall submit a master stormwater drainage plan to the City Engineering Division for review and approval which shows lot corner elevations to the nearest 0.25-foot. For purposes of the plan, it shall be assumed that grading shall be done on a straight line grade between points unless other information is provided. The proposed slope between points shall always be greater than or equal to .0075 ft/ft. If a break in grade is required between lot corners a shot shall be taken at that break in grade to provide the Engineer with enough information to interpret the plan. The developer shall also show proposed drainage arrows on the plan to indicate the proposed direction of drainage. The master storm water drainage plan shall be submitted to City Engineering in digital format with elevations/grades/contours shown on the recorded plat map of the development. The digital record shall be provided using the state plane

coordinate system—NAD 27. No building permits shall be issued prior to City Engineering's approval of this plan.

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

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

24. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2, 10 & 100-year storm events; control 80% TSS (5 micron particle), provide substantial thermal control, and; provide infiltration in accordance with NR-151. Stormwater management plans shall be submitted and approved by the City Engineering Division prior to signoff of the final plat.
25. Effective January 1, 2010, the Department of Commerce's authority to permit commercial sites for stormwater and erosion control has been transferred to the Department of Natural Resources. As this site is greater than one acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. The City of Madison cannot issue an erosion control and stormwater management permit until concurrence is obtained from the WDNR.
26. A minimum of 2 working days prior to requesting City Engineering Division signoff on the final plat, the applicant shall contact Janet Dailey (261-9688) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the subdivision (and subsequent obsolesces of the existing parcel).
27. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering signoff.
28. 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.
29. The applicant shall submit to Eric Pederson, prior to Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the final plat to the Mapping/GIS Section of the Engineering Division. The digital copies shall be submitted in both NAD27 & WIDOT County Coordinate System, Dane County Zone 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.

**Traffic Engineering Division** (Contact John Leach, 267-8755)

30. As part of the submittal of the final plat for this subdivision, the applicant shall prepare and provide a master ped-bike plan for the plat that is consistent with the City's area wide plans and the plat's specific provisions, to be reviewed and approved by the Traffic Engineer. The applicant may need to modify the proposed rights of way to accommodate the ped-bike plan.

31. Utility easements shall be provided as follows. The applicant shall show a detail drawing of the 12-foot utility easement dimensions and lot lines on the face of the plat.

Between Lots	Between Lots	Between Lots
1,2	24,25	45,59
6,7	34,35	65,66
11,21	N. 10' of Lot 41	68,69
13,14	45,59	71,72
16,17	48,49	76,77
22,26	51,52	80,81

32. The applicant shall execute a declaration of conditions and covenants for streetlights and traffic signals prior to sign off of the final plat for recording. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.

33. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

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

34. Note: If easements are shown, please be advised that the minimum side yard setback is 5 feet in the R2T district and 6 feet in the R1 district.

35. Due to apparent topographic change across the property, it is not clear that all lots will be able to provide required useable open space once developed. Provide a grading plan of the plat to show that usable open space requirements can be met on the R1 lots in the amount of 1,300 square feet per each lot and 800 square feet for the R2T Lots. Usable open space shall be in a compact area of not less than 200 square feet, having no dimensions less than 10 feet and having a slope no greater than 10 percent. The required front yard and required street side yards do not count toward usable open space.



**Parks Division** (Contact Kay Rutledge, 266-4714)

36. The area identified as Outlot 2 on the preliminary plat will be accepted as park dedication. Total dedication required for 81 new single-family lots is 89,100 square feet based on 1,100 square feet of parkland per dwelling unit.
37. The developer shall pay \$77,343.66 in park development fees for the 81 proposed single-family lots, based on the 2011 park development fee of \$954.86. This development is within the Elver Park impact fee district (SI31).
38. The applicant must select a method for payment of park fees before recording of the final plat.

**Fire Department** (Contact Bill Sullivan, 261-9658)

The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

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

39. 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 the final plans, but will need a copy of the approved plans.
40. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.

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

This agency did not submit a response for this request.