



Department of Planning & Community & Economic Development
Planning Division

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****BY E-MAIL ONLY****

May 10, 2013

Janet Dailey
City Engineering Division
Room 115, City-County Building
Madison, Wisconsin 53703

RE: Approval of a request to rezone land generally addressed as 7960 Raymond Road from Temp. A (Agriculture District), TR-C3 (Traditional Residential-Consistent 3 District), SR-C1 (Suburban Residential-Consistent 1 District) and SR-C2 (Suburban Residential-Consistent 2 District) to TR-C3 and CN (Conservancy District) and approval of a preliminary plat and final plat creating 16 single-family residential lots and two outlots. (City of Madison and Scott Lewis, Hawks Addition, LLC)

Dear Mrs. Dailey;

At its May 7, 2013 meeting, the Common Council **conditionally approved** the zoning map amendment, preliminary plat, and final plat of Wolfe Addition to Hawks Creek subject to the following conditions of approval from reviewing agencies. In order for the final plat to be approved for recording, the following conditions shall be met:

Please contact the City Engineering Division at 266-4751 if you have questions regarding the following thirteen (13) items:

1. The vacation of the portion of Jeffy Trail no longer required for the extension of that street shall be adopted by the Common Council and recorded by the City Clerk with the Register of Deeds prior to final plat recording. The final plat will include reference to the recorded document number.
2. All necessary land swaps and easement releases shall be coordinated with City Engineering and Office of Real Estate Services staff. All final documents shall be recorded with the Register of Deeds prior to final plat recording.
3. Note: The City is proposing to jointly plat lands with Hawks Addition, LLC. The proposed development would facilitate the expansion of the Ice Age Junction Trail, extension of Jeffy Trail, related infrastructure improvements, and the creation of public open space. The property has been identified in the High Point-Raymond Neighborhood Development Plan. The proposed uses shown on the Plan range from low density residential development, park, drainage, and open space. Hawks Addition, LLC shall be the owner of Lots 1-6, Lot 16 and existing Lot 32 of the First Addition to Hawks Creek and the City shall retain ownership of the balance of the plat. City staff have worked extensively on the proposed layout of the infrastructure and will continue to modify the layout as necessary to meet the needs for the public street, sanitary sewer, water

main, storm sewer and ped/bike accommodations while maintaining the necessary open space requirements as dictated in the City's purchase and sales agreement for the newly acquired property. The current plat as provided to the Plan Commission takes all of City Engineer's comments into account to date.

4. Note: The construction of the infrastructure to serve the development will be undertaken by the City of Madison as an assessable project in the summer and fall of 2013. The full cost of the improvements and all related development fees will be assessed to the proposed residential lots. The City shall construct a public sanitary sewer main and bike path connection from the proposed Ice Age Junction Trail to Jeffy Trail by separate contract and will recoup the costs of the improvements by impact fee and assessments. The City does not intend to construct Jeffy Trail at this time.
5. The City and Hawk Addition, LLC shall enter into a Development and Land Swap Agreement for the development of the plat. The agreement will spell out the rights and responsibilities of each party for the platting and construction of the necessary infrastructure to serve the development. Hawks Addition, LLC shall sign a waiver of hearing and notice for the assessments of the plat improvements.
6. This development is subject to impact fees for the Jeffy Trail Sanitary Sewer Impact Fee District and the Upper Badger Mill Creek Stormwater Impact Fee District. All impact fees are due and payable at the time building permits are issued. The following note shall put the face of the plat: **"Lots/ buildings within this subdivision/ development are subject to impact fees that are due and payable at the time building permit(s) are issued."**
7. 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 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.
8. 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. Note: It is required that this plan shall be stamped by and Registered Land Surveyor.

The following note shall accompany the master stormwater drainage plan: "For purposes of this plan, it is assumed that grading shall be a straight-line grade between points unless otherwise indicated. All slopes shall be 0.75% or steeper. Grade breaks between lot corners are shown by elevation or through the use of drainage arrows. No building permits shall be issued prior to the City Engineering Division's approval of this plan."

9. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to: detain the 2-, 10-, and 100-year storm events; control 80% TSS (5 micron particle) off of new paved surfaces; provide infiltration in accordance with Chapter 37 of Madison General Ordinances; provide substantial thermal control, and; complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by Chapter 37 MGO.
10. A minimum of 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 subdivision of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
11. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division 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 2 working days prior to requesting City Engineering signoff.
12. 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. Note: Land tie to two PLS corners required.
13. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone 1997Coordinates on all PLS corners on the plat in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. The City has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City Engineering Division website for current tie sheets and control data (http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html). If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact the City Engineering Division for this information.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have questions about the following three (3) items:

14. Utility easements shall be provided on the final plat between Lots 4 and 5 and Lots 8 and 9. The applicant shall show a detail drawing of the 12-foot utility easement dimensions and lot lines on the face of the final plat.
15. The applicant shall execute and return a declaration of conditions and covenants for streetlights and traffic signals prior to sign off.
16. 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 Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following item:

17. All operating private wells shall be identified and permitted by the Madison Water Utility and all unused private wells shall be abandoned in accordance with MGO Sec. 13.21.

Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following three (3) items:

18. Parkland dedication requirements for this project have been met. The developers shall pay approximately \$13,051.48 for park development fees for the 13 new single-family lots (the former house on Lot 8 is exempt, and park development fees were paid for Lots 1 and 16 as part of the First Addition to Hawks Creek). The developer must select a method for payment of park fees before signoff on the plat. This development is within the Elver park impact fee district (SI31). Please reference ID#06126.4 when contacting Parks Division staff about this project.

Note: The park development fee for a single-family or two-family unit in 2013 is \$1,003.96 per dwelling unit. Park impact fees are adjusted on January 1 of each calendar year, and the park impact fees due at the time of building permit issuance may be higher than the amounts stated above to reflect these annual adjustments.

19. Note 12 on the plat should be revised to reflect that it applies to Outlots 1 and 2.
20. 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 Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following two (2) items:

21. Pursuant to section 28.135(1)(b) of the Zoning Code, Lot Division, Creation And Access, lot divisions shall comply with the minimum lot size requirements of each zoning district, except that non-buildable lots such as outlots are exempt from minimum lot requirements.
22. The asphalt driveway and apron on Lots 8 and 9 shall be removed, landscaped and seeded to minimize erosion as required by City Engineering and Traffic Engineering staff.

Please contact Bill Sullivan, Madison Fire Department, at 261-9658 if you have any questions regarding the following item:

23. Provide the following information to the buyer of each individual lot: "The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e)."

Please contact my office at 261-9632 if you have questions regarding the following four (4) items:

24. That there be no vehicular access to Raymond Road for Lots 8-10. The access restriction shall be shown graphically on the face of the final plat and include a note acknowledging that no vehicular access shall be granted for those lots.

- 25. That the Plan Commission finds the extension of Trevor Way to not be necessary for the advantageous development of the adjacent lands as recommended in the High Point-Raymond Neighborhood Development Plan due to the topographical constraints present on and adjacent to the subject site.
- 26. That the exterior of the buildings constructed on the proposed lots be constructed with materials to match an exterior materials palette prepared by the Planning Division prior to the recording of the final plat and that those materials be detailed on any building permit submittals for these lots.
- 27. That a note be placed on the final plat that states as follows: "No principal or accessory buildings or structures (pools, gazebos, etc.) shall be permitted outside the developable areas of Lots 7-16 (i.e. within the Tree Preservation Easement Area)."

Please contact Jenny Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following five (5) items:

- 28. Prior to final sign-off, the Owner's Certificate(s) on the final plat shall be executed by all parties having an interest in the property, pursuant to MGO Section 16.23(5)(g)4 and Wis. Stats. 236.21(2)(a). Certificates shall be prepared with the ownership interests consistent with the most recent title report. Signatories shall provide documentation that proves legal authority to sign the Owner's Certificate.
- 29. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate.
- 30. As of March 28, 2013, the 2012 real estate tax bills are unpaid for the some of the parcels included in this plat. There are no special assessments reported. The property owners shall pay all real estate taxes that are accrued or delinquent for the subject properties prior to final approval of the plat for recording as follows:

Parcel Address	Tax Parcel No.	Owner	Taxes Owed
7960 Raymond Road	0608-031-9830-3	City	\$0
Not Assigned	0608-022-9190-9	City	\$0
2410 Trevor Way	0608-031-1311-1	Hawk's Addition, LLC	\$314.61
2413 Trevor Way	0608-031-1601-6	Hawk's Addition, LLC	\$258.95
2653 Jeffy Trail	0608-031-1313-7	Hawk's Addition, LLC	\$1,452.04
2554 Jeffy Trail	0608-031-1403-6	Badger Mill Creek, LLC	\$108.28
2556 Jeffy Trail	0608-031-1404-4	Badger Mill Creek, LLC	\$283.61
TOTAL			\$2,417.49

- 31. Stormwater management fees, if any, shall be paid in full prior to final sign-off.
- 32. The following revisions shall be made to the final plat prior to final approval and recording:
 - a.) Include on the proposed plat a complete and accurate legal description of the lands that are to be included in the proposed plat. The legal description shall be reconciled with the legal description of said lands in record title after the Jeffy Trail vacation is recorded.
 - b.) Depict, describe and label by document number the Declaration of Public Street Rights-of-Way that was recently recorded as Document No. 4964973.

- c.) Coordinate with Janet Dailey as to whether Note #2 from both the First Addition and Second Addition plats should be included in the proposed plat.
- d.) Coordinate with Real Estate staff (reference Real Estate Project 10074) regarding the reservations per Second Addition plat for Outlots 5 and 6 and how they will be handled, given the pending conveyance of those outlots to the city. In addition, coordinate with City staff regarding the potential release of the 15-foot bike path easement on the Second Addition plat contained in Outlot 6.
- e.) Please include a note for the recently passed Annexation Resolution that should be reported in the title update.
- f.) On proposed Lot 16, please separate the underlying text so it is visible and legible.
- g.) Depict and dimension all existing improvements (buildings, drives, parking lots, etc.), encroachments, wells and septic systems associated with the lands described for the proposed plat. (Well abandonment: ref. NR 141).
- h.) Record satisfactions or releases for all mortgages, liens, judgments, or other instruments that encumber the title of the subject lands, but where the purpose for such instrument has been satisfied, fulfilled, or resolved
- i.) If applicable, initiate requests to utility companies to record releases of their interests in utility easements in underlying plats, if utility easements are no longer needed, and place a note on the plat citing the recording data for the recorded releases.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Any appeal regarding the plat, including the conditions of approval related thereto, must be filed with the Circuit Court within thirty (30) days from the date of this letter. **The approval of this plat shall be null and void if not recorded in twelve (12) months 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: Eric Halvorson, Traffic Engineering Division
Dennis Cawley, Madison Water Utility
Kay Rutledge, Parks Division
Bill Sullivan, Madison Fire Department
Pat Anderson, Assistant Zoning Administrator
Jenny Frese, Office of Real Estate Services
Dan Everson, Dane County Planning & Development