



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

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

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

June 10, 2008

Brian Munson  
Vandewalle & Associates  
120 East Lakeside Street  
Madison, Wisconsin 53715

Wayne Barsness  
D'Onofrio Kottke & Associates  
7530 Westward Way  
Madison, Wisconsin 53717

RE: Approval of a request to rezone approximately 124.7 acres located at the northwest corner of Valley View and South Point roads from Temp. A (Agriculture District) to R2T, R2Y, R2Z (Single-Family Residence Districts), R5 (General Residence District), C (Conservancy District) and Planned Unit Development, General Development Plan (PUD-GDP); approval of a preliminary plat proposing 274 single-family lots, 9 two-family lots, 1 lot for townhouse development, 3 lots for future multi-family development and various outlots for public and private open space and stormwater management, and; approval of a final plat creating the 3 lots for future multi-family development and 1 outlot for stormwater management (Veridian).

Gentlemen:

At its June 3, 2008 meeting, the Common Council **approved** your client's rezoning, preliminary plat and final plat for the "1000 Oaks" 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 twenty-seven (27) items:**

1. The developer shall be responsible for a portion of the cost of the improvements to Valley View Road and South Point Road adjacent to the plat as required by the City Engineer. Generally, the developer's share will include 14 feet of the pavement plus curb and gutter, topsoil and seed, prorated share of storm sewer, prorate share of street lighting, and a portion of the cost of the pedestrian islands at intersections. The work may be done by the developer or by the City as determined by the City Engineer after consultation with the developer.
2. The layout of this plat has created excessive street frontage on public lands dedicated for stormwater management purposes. In addition, due to the small lot size, the open space dedicated to the public for stormwater purposes will be utilized by the neighborhood as open space. The City shall limit participation to 200 linear feet for Outlots 2, 5, 8, 12 (each).
3. The City of Madison will remove snow from the alleys. Refuse collection will be on the public street. If collection from the alley is desired, the collection shall be private.
4. It is anticipated that the improvements on Sage Brush Drive and Tawney Acorn Drive required to facilitate ingress and egress to the plat will require additional 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 with the acquisition.

5. This plat is subject to the Lower Badger Mill Impact Fee District for both stormwater management and sanitary sewer. A waiver of assessments will be required to be signed prior to plat signoff.
6. There is a sanitary sewer capacity issue with this development. In 2008, there is a MMSD Sewer Interceptor scheduled to relieve this sanitary restriction (South Point Lift Station). The development will be required to generate a maximum of 0.14 (65 gpm) until the interceptor is in place (Lower Badger Mill Sewer Interceptor).
7. All proposed street names shall be approved by Engineering Mapping. Coordinate with Lori Zenchenko ([lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com)).
8. Sage Brush cannot be used, as that street name already exists elsewhere in the City of Madison. Neither Hallmark, Bayfield Apple Way and Sassafra are acceptable street names.
9. All "path" suffixes shall be changed to "alley" and require base names.
10. All outlots shall be clearly identified as public or private. All public outlots shall clearly be dedicated to the public for the exclusive intended use.
11. 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.
12. 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.
13. The developer is required to pay impact fees for this development. 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 Division signoff of the plat.
  - 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 required prior to plat signoff;
    - 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](mailto: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 signoff.

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).

- 14. The developer shall construct Madison standard street improvements for all streets within the plat.
- 15. The applicant shall construct sidewalk along South Point Road and Valley View Road according to plans approved by the City Engineer.
- 16. The developer shall make improvements to South Point Road to facilitate ingress and egress to the plat.
- 17. The developer shall note that AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat.
- 18. 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.
- 19. 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.

20. 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.
21. 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
22. A minimum of two 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).
23. 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.
24. A separate and independent sanitary sewer lateral shall serve each unit of a duplex building.
25. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor’s office. The Developer’s Surveyor and/or Applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor’s office. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. Note: Land tie to two PLS corners required.
26. 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 in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. The City of Madison has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Please visit the City of Madison Engineering Division web address [http://gis.ci.madison.wi.us/Madison\\_PLSS/PLSS\\_TieSheets.html](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 the Engineering Division for this information.

27. 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 five items:**

28. 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 development may be delayed until the Council approves the transportation impacts fees.

29. 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."

30. 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.

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

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

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

33. Water main on South Point Road may be installed either by private contract, or by standard City of Madison Assessment Reimbursement Agreement.

34. All public water mains and water service laterals within the plat 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. The Water Utility will not need to sign off on the final plans, but will need a copy of the approved plans.

**Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following item:**

35. Per MGO 34.19, 34.20 and IFC 503.2.5:

- a.) A fire apparatus access road that is longer than 150 feet shall terminate in a turnaround. Provide an approved turnaround (cul-de-sac, 45-degree wye, 90-degree tee) at the end of the fire apparatus access road. This turnaround shall be constructed of concrete or asphalt only, and designed to support a minimum load of 80,000 lbs.
- b.) 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.

**Please contact Si Widstrand, Parks Division, at 266-4711 if you have questions about the following two items:**

36. The woodland will be accepted as parkland dedication. Total dedication required is approximately 14 acres. There is potential for significant credit to the developer for park dedication and improvements.
37. Park development fees for the Veridian lots south of Watts Road total \$245,809.65 before credit reductions. The developer shall select a payment method prior to signoff.
38. Additional park development fees for the multi-family units in separate ownership on Lots 1-3 shall be calculated and paid at the time of [final land use] approval.
39. The triangle behind Lots 155-157 is problematic as hidden park space. The land should be included in the three lots.
40. The park will become the primary corridor for the regional bike path. The potential trail routes and feasibility for a trail underpass of South Point Road should be evaluated as part of the plat grading design. The drainage corridor should be used for pedestrian trails. A bike path easement shall also be provided along the northern boundary of Lot 1.
41. The developer shall provide a tree inventory and assessment to identify any significant disease issues, to ensure protection of trees at the woodland edge adjacent to development lots and to identify trail corridors and park development locations. Surveyed locations will be required for trees in some areas adjacent to proposed construction. Coordination with the developer will also be required to ensure that fencing of the woodland property lines occurs as part of the development process.
42. Utility easements shall not be allowed across parkland without the approval of the Parks Division.

Prior to City signoff on the final plat, the developer shall select one of the following options for paying applicable park impact fees:

- Payment of all fees in a lump sum prior to City signoff on the project;
- For projects being built with phased subdivision improvement contracts, the developer may pay the fees due for the number of units in each contract, paid at the time of contract execution, and at the fee rates then in effect;
- 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, or;
- The fee payment may be paid within fourteen days of issuance of any zoning, conditional use or building permit. No certificate of occupancy may be issued for buildings on any parcel for which there are unpaid impact fees. 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. All fees shall be paid at the rate in effect at the time of payment.

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

43. The final plat shall include a landscape screening buffer area along the northerly property line adjacent to the Silicon Prairie plat. Details of the landscaping will be required when specific development/building proposals are submitted for review.
44. That the plat be revised to provide a public pedestrian-bicycle path from the future City parkland to the northern edge of the plat through Outlots 1 and 14, as called for in the Pioneer Neighborhood Development Plan.
45. A note shall be provided on the final plat and a Land Use Restriction Agreement recorded indicating that an Inclusionary Dwelling Unit Plan will be required for any owner-occupied development of the R5-zoned parcels at the time that development plans are submitted for these three lots. The Land Use Restriction Agreement will be executed for recording prior to the recording of the final plat.
46. That the applicant submit to the Planning Division two copies of the private subdivision covenants, conditions and restrictions that govern the organizational structure, use, maintenance and continued protection of the development and any common services, open areas or other facilities to serve the proposed subdivision. Planning staff and the City Attorney's Office shall approve these documents prior to approval of any final plat containing such private common elements.
47. All final plats that include lands dedicated to the public for stormwater management and/or sanitary sewer purposes shall also have an added designation for "local paths, trails, and crossings."
48. Sidewalks shall be provided on both sides of all public streets within the 1000 Oaks development unless otherwise approved by the Plan Commission.
49. That the Plan Commission and Common Council approve a final inclusionary dwelling unit plan and gap analysis for the 1000 Oaks subdivision and that all conditions related thereto be satisfied per Community Development Block Grant Office and Planning Division approval prior to final approval for recording of the first final plat. Please contact Barb Constans in the CDBG Office at 267-1983 if you have any questions about the Inclusionary Dwelling Unit Plan review.
50. That the approval of these zoning map amendments and the preliminary plat of 1000 Oaks be null and void unless a final plat of all or a portion of the 1000 Oaks subdivision is recorded within 24 months of the date of Common Council approval of the rezonings and preliminary plat approvals.
51. As recommended by the Long Range Transportation Planning Commission, that an all-weather, north-south bicycle/ pedestrian path connection be constructed, at some location between the center and the east side of the park. The LRTPC further recommended that all red dashed lines located on the 1000 Oaks Neighborhood Master Plan map be considered as all-weather bicycle/ pedestrian paths, unless deemed inappropriate by a City Staff team consisting of City Engineering, Parks Division and Traffic Engineering staff.

**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 Jeff Ekola at 267-8719 for more information.**

**Specific questions regarding comments or conditions should be directed to the commenting agency.**

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.

After the planned unit development has been changed as per the above conditions, please file **seven (7) sets** of the revised, complete site plans, building elevations, floor plans and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their signature of final approval.

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void. No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.

Within thirty-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.12(10)(e), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

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

For Official Use Only, Re: Final PUD-GDP Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input checked="" type="checkbox"/>	CDBG (IDUP only)
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division (see final plat)
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coordinator (R&R)
<input type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other:

- cc: Janet Dailey, City Engineering  
John Leach, Traffic Engineering  
Dennis Cawley, Madison Water Utility  
Si Widstrand, Parks Division  
Barb Constans, CDBG Office  
Pat Anderson, Assistant Zoning Administrator  
Jeff Ekola, Office of Real Estate Services  
Norb Scribner, Dane County Land Records and Regulations