



Department of Planning & Community & Economic Development

## Planning Division

Katherine Cornwell, Director

Madison Municipal Building, Suite LL-100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

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

June 20, 2014

Ron Klaas  
D'Onofrio Kottke & Associates  
7530 Westward Way  
Madison, Wisconsin 53717

RE: Approval of a request to rezone 2052 Woods Road and 9603 Mid Town Road from Temp. A (Agricultural District), SR-C1 (Suburban Residential–Consistent 1 District) and SR-C2 (Suburban Residential–Consistent 2 District) to TR-C2 (Traditional Residential–Consistent 2 District); approval of a demolition permit to allow the existing single-family residence at 9603 Mid Town to be razed, and; and approval of a preliminary plat and final plat creating 99 single-family lots, an outlot for a public park, and an outlot for public stormwater management (Tony Heinrichs, Watermark JT, LLC).

Dear Mr. Klaas;

At its June 17, 2014 meeting, the Common Council **conditionally approved** your client's zoning map amendment and the preliminary plat and final plat of Hawks Valley subject to the following conditions of approval to be addressed prior recording of the final plat of the subdivision or the issuance of a demolition permit for the residence at 9603 Mid Town Road. The demolition permit for the residence was approved by the Plan Commission on June 9, 2014 subject to the approval of the rezoning and subdivision.

**Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following forty (40) items:**

1. The portions of Woods Road and Mid Town Road shown on Certified Survey Map (CSM) 1964 were not accepted by the Town of Verona in the approval certificate; therefore those areas were not dedicated to the public. The preliminary and final plat shall be revised to include those areas in the Woods Road and Mid Town Road dedications.
2. Revise the legal descriptions on the preliminary and final plats to include the additional road dedications required for Mid Town Road and Woods Road. Also provide adjoiner calls on all courses where appropriate and the volume, page and document number for CSM 1964.
3. Any offsite public utility facility required to serve this development may require a separate City of Madison Real Estate project. The Real Estate project is required to administer, draft, execute and record the document by Office of Real Estate Services staff. Coordinate with Jeff Quamme of Engineering-Mapping for any required easement(s); [jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com) or 266-4097.

4. Provide the required WCCS coordinate values for the North quarter-corner of Section 4 on the final plat.
5. If the house and barn are not demolished prior to plat recording, they shall be shown on the final plat with a note "To be Demolished".
6. Provide a line type for the Landscape Buffer Strip that is not the same as the Public Utility Easement.
7. Add a reference to CSM 1964 to the header below the plat name on all sheets of the preliminary and final plat.
8. The easterly most line of the plat does not match the quarter line bearing per City of Madison control of S0035'06"W. Provide an explanation for the variance or revise the preliminary and final plats as necessary.
9. Provide all recorded as data from the deeds of record and CSM 1964 on the final plat where it currently is not shown.
10. Remove the reference to Outlot 3 in the notes on the preliminary plat.
11. Goshawk Drive should be renamed "Goshawk Lane" as it is one block long.
12. Clarify in the notes what bodies have the enforcement rights for compliance in regard to the building setback line and landscaped buffer strip.
13. Coordinate with City Engineering staff on the probable need for creating additional public storm sewer easements. If determined to be necessary, revise the plat to provide additional easements for discharge of public main to the public stormwater pond located on proposed Outlot 1.
14. 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.
15. This plat shall comply with all stormwater management requirements imposed by the Capital Area Regional Planning Commission. Additional information is required to determine if additional land dedication is needed to satisfy the requirement.
16. This plat will require off-site gravity sewer and / or 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.
17. The applicant shall review the zoning setbacks with City Engineering staff 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.

18. The developer shall install sidewalk, curb and gutter along Mid Town Road and Woods Road adjacent to the plat.
19. The developer shall dedicate a 20-foot wide public pedestrian/bike easement between Lots 19 and 20 and shall construct a 10-foot wide asphalt path. Contact Jeff Quamme at [jquamme@cityofmadison.com](mailto:jquamme@cityofmadison.com) for the appropriate easement language to be included on the plat.
20. 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 without the agreement executed by the developer.
21. 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.
22. This development is subject to impact fees for the Lower Badger Mill Creek Sanitary Sewer and Stormwater\_Impact Fee District. All impact fees are due and payable at the time building permits are issued. The following note shall be put the face of the plat: "Lots/ buildings within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."
23. The developer shall remove the septic system with the building demolition and take out a septic system removal permit with the Public Health Department of Madison and Dane County. The developer shall provide evidence of application submittal prior to recording of the final plat.
24. The developer shall construct Madison standard street and sidewalk improvements for all streets within the plat.
25. The developer shall establish a 30-foot building setback line for all lots on the plat adjacent to Woods Road and Mid Town Road.
26. The developer shall make improvements to Woods Road and Mid Town Road to facilitate ingress and egress to the plat.
27. The developer shall note that AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat.
28. 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 MGO Sections 37.07 and 37.08 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.

29. 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.

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.

30. 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."

31. 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, and; provide substantial thermal control.
32. Effective January 1, 2010, the Wisconsin Department of Commerce's authority to permit commercial sites for stormwater and erosion control has been transferred to the Wisconsin Department of Natural Resources (WDNR). 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 WDNR prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt of the WDNR at 273-5612 to discuss this requirement. The City of Madison cannot issue an erosion control and stormwater management permit until concurrence is obtained from the WDNR.
33. A minimum of 2 working days prior to requesting City Engineering signoff on the plat, the applicant shall contact Janet Schmidt (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).
34. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
35. 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 Schmidt (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
36. 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.
37. 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](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.

38. 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.

39. In accordance with Section 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. Identify the owner and/or benefiting interest of all easements.
40. City of Madison Environmental Projects Staff have reviewed the subject site and determined that a Phase I ESA **will** be required of the applicant. The applicant shall provide 1 digital and 2 hard copies of an ASTM Phase I ESA prepared by an environmental professional. Staff review of this Phase I ESA will determine if a further investigative Phase II ESA is also required. Please submit any relevant Phase I and Phase II ESAs to Brynn Bemis (267-1986, [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)) for further review.

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

41. A streetlight declaration of conditions and covenant shall be executed and returned prior to final signoff of the plat. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.
42. Utility easements shall be provided on the final plat between the lots in the following table. The applicant shall show a detail drawing of the 12-foot utility easement dimensions and lot lines on the face of the final plat.

Between Lots	Between Lots	Between Lots	Between Lots	Between Lots
1-2	19-20	40-41	57-58	83-84
6-7	21-22	43-44	68-82	88-89

9-10	24-37	45-46	69-70	92-93
12-13	30-31	49-54	72-73	95-96
16-17	38-48	53-54	74-75	98-99

43. 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 Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following item:**

44. Provide a reuse/recycling plan, to be reviewed and approved by the City's Recycling Coordinator, George Dreckmann, prior to a demolition permit being issued. Section 28.185(7)(a)5. of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition. Per Section 28.185(9)(a), a demolition or removal permit is valid for one year from the date of the Plan Commission.

**Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following three (3) items:**

45. There are water main assessments due in the amount of \$45,216.29 for the existing water main on Mid Town Road.

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

47. 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 Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:**

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

49. The Hawks Valley plat as currently proposed includes 99 single-family lots (one single-family lot currently exists). The parkland dedication requirement for a single-family lot is 1,100 square feet per MGO Sec. 16.23(8)(f) and 20.08(6); the total dedication requirement for the 98 new single-family lots is 107,800 square feet. Parkland dedication as proposed is Outlot 2, which location is generally consistent with the preliminary Shady Wood Neighborhood Development Plan. The parkland dedication requirement is deficient by 18,678 square feet. The applicant shall work with Parks

Division staff to expand the area of Outlot 2 to fully meet parkland dedication requirements; this can be accomplished by slightly reducing the size of Lots 55-67 while still maintaining the area of Outlot 1 for stormwater purposes. Prior to recording, the applicant shall reach an agreement with the Parks Division regarding any required fees in lieu of parkland dedication if the parkland dedication requirement cannot be fully met.

50. Park Development Impact Fees per MGO Sec. 20.08(2) will be required for all new residential development in this subdivision. The developer must select a method for payment of park impact fees prior to signoff of the rezoning and final plat. This development is within the Elver park impact fee district (SI31). Please reference ID# 14132 when contacting Parks Division staff about this project.
51. 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 Jenny Frese of the Office of Real Estate Services at (608) 267-8719 if you have any questions regarding the following item:**

52. In order for the final plat to receive final staff approval prior to recording, the plat shall include executed owner and consent of mortgagee certificates to match an updated title report to be submitted for the property; all taxes and special assessments shall be paid in full (including receipts for any payments not reflected in the updated title report); all stormwater fees shall be paid; and the final plat revised to include any revisions identified by Office of Real Estate Services staff based on a review of the updated title report.

**Please contact my office at 261-9632 if you have any questions about the four (4) items:**

53. The developer shall submit a detailed screening plan for the landscaping buffer strip parallel to Mid Town Road and Woods Road for Planning Division approval prior to recording of the final plat. The plan for the buffer strip shall include a variety of screening elements including various landscape materials, berming and fencing. Surety for the installation of the approved screening plan will be part of the Subdivision Improvement Contract for this plat, and the residences on Lots 1-23, 74-75 and 83 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. Note 5 on the final plat shall be revised accordingly.
54. Note: The Planning Division will work with the developer and the City Engineering Division to finalize the design of the 70-foot right of way for Grey Kestrel Drive 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.
55. 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.



56. 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.

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

**No interior, exterior or structural demolition or wrecking activities or remodeling activities (including material reclamation activities by the applicant or a third party) shall commence nor any wrecking or building permits be issued until the applicant has met all of the conditions of approval stated in this letter.**

Prior to issuance of the demolition permit, provide a reuse/recycling plan per Section 28.185 of the Zoning Code, to be reviewed and approved by the City's Recycling Coordinator, George Dreckmann. Section 28.185(7)(a)5 of the Zoning Code requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.

Prior to City Engineering final sign-off by the main office of the CSM, the final CSM shall be submitted to the 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 signoff. E-mail submittal of the final CSM in PDF form is preferred. Transmit to [jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com).

The owner shall furnish to the Office of Real Estate Services and the survey firm preparing the CSM an updated title report covering the period between the date of the initial title report and the date when final signoff is requested. The surveyor shall update the CSM with the most recent information reported in the title update.

As soon as the comments and conditions have been satisfied for the final plat as verified with a completed affidavit form (attached), the original along with the revised final plat, with all signatures and approvals from the reviewing agencies, shall be brought to this office for final signoff. You or your client may then record the final plat at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 266-4141.

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 final 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, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks  
Planner

Hawks Valley Subdivision  
2052 Woods Road &  
9603 Mid Town Road  
June 20, 2014  
Page 10

cc: Janet Schmidt, City Engineering Division  
Eric Halvorson, Traffic Engineering Division  
Kay Rutledge, Parks Division  
Pat Anderson, Assistant Zoning Administrator  
Bill Sullivan, Madison Fire Department  
Dennis Cawley, Madison Water Utility  
Jennifer Frese, Office of Real Estate Services  
Dan Everson, Dane County Planning & Development