



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 566 Schewe Road  
**Application Type:** Revised Preliminary Plat and Final Plat  
**Legistar File ID #** [50678](#)  
**Prepared By:** Timothy M. Parks, Planning Division  
Report includes comments from other City agencies, as noted

## Summary

**Applicant & Property Owner:** Jeff Rosenberg, VH Acquisitions, LLC d.b.a Veridian Homes; 6801 South Towne Drive; Madison.

**Contact Person:** Brian Munson; Vandewalle & Associates; 120 E. Lakeside Street; Madison.

**Surveyor:** Brett Stoffregan and Dan Day, D’Onofrio Kottke & Associates; 7530 Westward Way; Madison.

**Requested Actions:** Approval of the revised preliminary plat and final of *Eagle Trace*, creating 243 single-family lots, one outlot to be dedicated for a public park, one outlot for future development, one outlot to be dedicated for public sidewalk purposes, and four outlots to be dedicated to the public for stormwater management.

**Proposal Summary:** The revised “Eagle Trace” subdivision calls for 243 single-family lots to extend across most of the 89.35-acre subject site. In addition to the single-family lots, the plat includes the dedication of an approximately 9.4-acre public park and four outlots for stormwater management. Development of the subdivision will occur in phases beginning in 2018 following approval and recording of the final plat, with completion of the subdivision anticipated over a ten-year period based on market demand for units.

**Applicable Regulations & Standards:** The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations.

**Review Required By:** Plan Commission and Common Council.

**Review Schedule:** The State’s subdivision statute, Wis. Stats. 236, requires that a preliminary plat be approved, conditionally approved, or rejected (with stated reasons) within 90 days of submittal unless the time is extended by agreement with the applicant. If no action is taken within 90 days and no extension granted, the plat is deemed approved. The revised preliminary plat application was submitted to the City on February 21, 2018. Therefore, the 90-day review period for this plat was scheduled to expire circa May 21, 2018.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission forward the revised preliminary plat and final plat of the Eagle Trace subdivision at 566 Schewe Road 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

**Parcel Location:** The subject site contains approximately 89.35 acres of land that generally extends between Pioneer Road on the west and existing Schewe Road on the east, north of Elderberry Road; Aldermanic District 9 (Skidmore); Middleton-Cross Plains School District.

**Existing Conditions and Land Use:** A single-family residence, barn, detached garage and three outbuildings are located in the northeastern corner of the parcel, which were recently approved for demolition to accommodate the proposed subdivision. The remainder of the property is undeveloped farmland. The property was recently rezoned TR-C3 (Traditional Residential–Consistent 3 District) concurrent with the previous 235-lot version of the Eagle Trace subdivision.

### Surrounding Land Uses and Zoning:

**North:** Undeveloped land in the Town of Middleton along Pioneer Road; single-family residence, undeveloped land, and a future City of Madison Water Utility tower and reservoir, zoned A (Agricultural District);

**South:** Single-family residence and undeveloped land in the Town of Middleton;

**West:** Single-family residences along Pioneer Road and in the Sauk Prairie Estates subdivision in the Town of Middleton;

**East:** Single-family residence in the Town of Middleton; Middleton Community Church in the City of Madison, zoned A; single-family residences in The Willows and Autumn Ridge Reserve subdivisions, Schewe multi-purpose path, and stormwater management greenways in the City, zoned SR-C1 (Suburban Residential–Consistent 1 District) and TR-C2 (Traditional Residential–Consistent 2 District).

**Adopted Land Use Plans:** The 2002 [Elderberry Neighborhood Development Plan](#) identifies the subject site for low-density residential uses between four and eight units an acre. A future park is identified along a portion of the northern property line, with a greenway identified along the eastern edge of the site adjacent to Schewe Road.

Note: The Elderberry Neighborhood Development Plan is currently undergoing review as part of a joint plan amendment process with the Pioneer and Junction neighborhood development plans to evaluate the recommendations for the three far west side planning areas. The amendment process began in fall 2017, with draft recommendations anticipated in early 2018 for adoption by the Common Council circa June 2018.

**Environmental Corridor Status:** The site of the proposed subdivision is not currently located in the Central Urban Service Area (CUSA), and there are no adopted environmental corridors at this time. A City-initiated request to the Capital Area Regional Planning Commission (CARPC) to include the western portions of the Elderberry neighborhood in the CUSA is pending. As part of its amendment request, the City is requesting that the future park located on all or a portion of the subject site be mapped as environmental corridor.

**Public Utilities and Services:** The site will be served by a full range of urban services as it develops once it is added to the CUSA.

However, Metro Transit does not currently provide service west of Pleasant View Road. Per Metro’s comments: “The proposed subdivision is no less than two miles walking distance, and the lots would be greater than the

three-quarters of a mile regulatory distance from all-day scheduled bus service, which disqualifies any trips in this subdivision for passengers who might otherwise be eligible for door-to-door paratransit service. The pedestrian access between this site and the scheduled bus service, located on Old Sauk Road at Heartland Trail (east of Pleasant View Road), includes approximately a half-mile of travel along the unimproved shoulder of Old Sauk Road (posted 35 mph).”

**Zoning Summary:** The proposed lots will be zoned TR-C3 (Traditional Residential–Consistent 3 District):

	<b>Required</b>	<b>Proposed</b>
Lot Area (sq. ft.)	3,000 sq. ft. per lot	All proposed lots will exceed
Lot Width	30’	All proposed lots will exceed
Front yard setback	15’	To be determined at permitting
Maximum front yard setback	30’ or up to 20% greater than average	To be determined at permitting
Side yard setback	5’	To be determined at permitting
Rear yard	20’	To be determined at permitting
Maximum lot coverage	75%	To be determined at permitting
Maximum building height.	2 stories/35’	To be determined at permitting
Usable open space (sq. ft. per unit)	500	To be determined at permitting
<b>Other Critical Zoning Items</b>		
Yes:	Utility Easements (to be established with final plat)	
No:	Urban Design, Wellhead Protection, Floodplain, Landmarks, Waterfront Development, Adjacent to Parkland	
<i>Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator</i>		

## Previous Approvals

On October 17, 2017, the Common Council adopted Ordinance 17-0111 (ID [49029](#)) to attach the 89.5-acre subject parcel to the City of Madison from the Town of Middleton.

On January 16, 2018, the Common Council approved a request to rezone land generally addressed as 566 Schewe Road from Temporary A (Agricultural District) to TR-C3 (Traditional Residential–Consistent 3 District) and approved the preliminary plat of *Eagle Trace*, creating 235 single-family lots, one outlot for a public park, one outlot for future development, and three outlots to be dedicated to the public for stormwater management subject to conditions. At its January 8, 2018 meeting, the Plan Commission recommended approval of the zoning map amendment and preliminary plat and approved a demolition permit for the single-family residence at 566 Schewe Road.

## Project Description

The applicant, Veridian Homes, is requesting approval of a revised preliminary plat and final plat of “Eagle Trace” to create 243 single-family lots in TR-C3 zoning across most of the 89.35-acre property. The eight additional lots above the 235 lots previously approved for this subdivision have mostly been created through minor revisions to the layout of the subdivision to address the conditions of the previous plat approval and through making modest changes to the selection of lot widths and areas being offered for future home construction.

Access into the proposed Eagle Trace subdivision will continue to be provided by the extensions of White Fox Lane and Schewe Road into the subdivision from their current terminuses at the northeastern corner of the site. The preliminary plat calls for Schewe Road to continue south through the subdivision parallel to the eastern edge of the site as a 70-foot wide collector street consistent with the conditions of the January 2018 preliminary plat approval. White Fox Lane will extend across the subdivision to Pioneer Road as a 70-foot wide collector street, with the intersection of White Fox and Pioneer to align with Heather Knoll Lane across Pioneer Road in the Sauk Prairie Estates subdivision in the Town of Middleton.

In addition, the future plat will dedicate an approximately 9.5-acre public park on the south side of White Oak Lane west of Schewe Road in the same general location and configuration previously proposed. The revised plat eliminates the four lots bounded by the park along White Oak Lane in the previous proposal. Instead, the applicant has worked diligently to relocate those four lots elsewhere in the development. In addition, the applicant has reconfigured the lots at the northeastern corner of the proposed park to preserve the significant trees in that portion of the property, including shortening the depth of proposed Lots 61 and 62 to 85 feet to allow the trees in that portion of the site to be part of the park dedication. Whereas the proposed park had two extensions out to Schewe Road in its previous iteration, the revised plat proposes a single 25-foot wide projection approximately midway between White Oak Lane and proposed Quiet Leaf Road. Significant mature trees located in the northwestern corner of the proposed park near the intersection of Tawny Elm Parkway and White Oak will also be preserved with the new park configuration. The revised plat also proposes a 15-foot wide outlot (3) between Lots 45 and 46 and 54 and 55 for a public sidewalk, which will connect the park to Silent Wind Place and future development to the north of the Eagle Trace development.

The revised subdivision will also dedicate four outlots for stormwater management. Outlot 2 will extend the length of the eastern edge of the subdivision and join the existing greenway tracts dedicated to the City with the adjacent Autumn Ridge Reserve and Willows subdivisions similar to earlier plat approval. However, in response to a condition of the previous approval, the applicant has shifted the location of proposed Lots 1-3 to abut Schewe Road, with a corresponding shift of the Outlot 2 stormwater management into the northeastern corner. The combined outlots will create a continuous greenway of varying width for stormwater management for the three subdivisions, as well as a north-south multi-purpose path corridor that will eventually extend across the larger Elderberry neighborhood. An east-west spur is proposed to link the park on Outlot 4 to the north-south regional path across Outlot 2. The revised plat adds a fourth stormwater management outlot (6) at the southeastern corner of White Oak Lane and Pioneer Road; the stormwater management facilities on Outlots 5 and 7 remain in the same general location and configuration as previously approved.

## **Analysis and Conclusion**

The Planning Division believes that the revised subdivision plat to create 243 single-family lots conforms to the applicable lot design standards in the proposed TR-C3 zoning district and in the Subdivision Regulations, with all of the lots proposed to exceed the minimum 30 feet of lot frontage and 3,000 square feet of lot area required by zoning. The revised preliminary plat and corresponding final plat principally address the conditions of approval of the January 2018 preliminary plat regarding the layout of the overall subdivision. The slightly denser Eagle Trace subdivision is also consistent with the land uses, density, and street pattern recommended for the site in the adopted 2002 Elderberry Neighborhood Development Plan.

The applicant has not submitted a revised phasing plan for the subdivision. However, consistent with the conditions of the earlier preliminary plat, staff is requesting that White Fox Lane be connected to Pioneer Road concurrent with the subdivision improvements for 100 of the 243 proposed lots. The construction of this connection is important to ensure that two means of public street access are provided as the subdivision develops, either through the construction of the White Fox Lane connection to Pioneer, or through the construction of another public street access off-site on one of the adjacent properties to the north or south.

Finally, the western half of the proposed Eagle Trace subdivision is also subject to the provisions of Section 13.04 of the 2003 *Final City of Madison and Town of Middleton Cooperative Plan*.

The City-Town cooperative plan establishes a transition area located a quarter-mile on either side of the centerline of Pioneer Road from Old Sauk Road south to Valley View Road. The intent of the transition area is to establish compatible land uses east and west of the permanent boundary between the Town and the City at Pioneer Road. Within this area, development shall be limited to residential land uses and associated improvements, including roads, utilities, parkland and other governmental uses. Residential densities shall be limited to four (4) units per net acre of development, and the height of residential structures shall be limited to 35 feet as measured from the finished grade on the street side of the building. Private driveway access to new development shall be prohibited from Pioneer Road unless approved by both the Town and City, and instead shall be provided by new public streets, which shall be allowed to intersect Pioneer Road. It is the Town and City’s intent to align streets as four-way intersections with Pioneer Road to the extent possible. In addition, for any subdivision in the transition area both east and west of Pioneer Road, an 80-foot wide landscaped building setback shall be provided as a condition of any development approval.

City staff has reviewed the revised plat and believes that it complies with the requirements of the cooperative plan. The net density of development west of the quarter-mile line, which roughly follows the current alignment of Tawny Elm Parkway, calls for 123 lots within the transition zone on 31.16 net acres of land, for an approximate density of 3.95 units per net acre not including outlots or rights of way. Further, the maximum height allowed in the TR-C3 zoning district is 35 feet, which is measured to the highest point on the roof of the building or structure, and which staff feels is consistent with the height limitation in the cooperative plan. Finally, an 80-foot setback is shown in the rear yards of the lots backing onto Pioneer Road; staff will review a landscaping plan for this buffer prior to recording of the final plat of the subdivision.

## Recommendation

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

The Planning Division recommends that the Plan Commission forward the revised preliminary plat and final plat of the Eagle Trace subdivision at 566 Schewe Road to the Common Council with a recommendation of **approval** subject to input at the public hearing and the conditions that follow.

**Recommended Conditions of Approval** Major/Non-Standard Conditions are Shaded

**Planning Division**

1. That prior to final approval and recording of the final plat, the applicant shall work with the Planning Division and Capital Area Regional Planning Commission to revise the environmental corridor map to reflect the approved subdivision, including modifications to reflect the final location of the public park and the proposed stormwater management greenways/outlots.
2. That a “No Vehicular Access” restriction be shown graphically and noted on the final plat for Lots 196-200 and 236-241 backing onto Pioneer Road, consistent with the City-Town cooperative plan.
3. A revised phasing plan for the subdivision shall be provided to the Planning Division and City Engineer. The phasing plan for the subdivision shall show the construction of White Fox Lane to Pioneer Road no later than subdivision improvements for approximately 100 lots to ensure that two means of ingress and egress are provided for the subdivision as early as possible. In the alternative, this second means of access may be satisfied by construction of any street within this subdivision to connect to an existing public roadway.
4. The applicant shall submit a grading plan and landscaping plan (with cross-sections) for approval by the Planning Division prior to recording of the final plat that provides a landscaped buffer for the western 80 feet of Lots 196-200 and 236-241 backing onto Pioneer Road consistent with the City-Town cooperative plan. The planting area/ buffer strip adjacent to Pioneer Road shall be reserved for the planting and maintenance of trees or shrubs by the respective lot owners or an association, and the building of buildings within the 80-foot setback shall be prohibited. The final plat shall include a note identifying the rights and responsibilities of the owners of the affected lots and/or any association to install and maintain this 80-foot buffer.

**The following conditions of approval have been submitted by reviewing agencies:**

**City Engineering Division** (Contact Tim Troester, 267-1995)

5. The proposed development requires construction of public works in adjacent Town of Middleton right of way. The developer shall set up and lead a coordination meeting between City of Madison staff and Town staff. This meeting shall be held in advance of sign off of the development. The construction may require the developer to obtain a permit from the Town for construction in the Town right of way. City plans will not be released for construction until this permit is obtained by the developer and provided to the City of Madison.
6. Per MGO Section 37.09(3)(d)7., this plat shall match the existing volumetric discharges from the property to lands not under their control in storm events including the one-, two-, five- and ten-year storm events.
7. The developer shall install roadway tapers beyond the plat along Schewe Road.
8. The developer shall construct bike path improvements as required by the City Engineer on Outlots 2 and 4.
9. The developer shall construct pavement, curb and gutter as required by City Engineer on Pioneer Road.
10. The developer shall construct full street and sidewalk improvements along White Fox Lane and Schewe Road along Lots 1, 2, and 3, and Outlots 1 and 2.

11. The developer shall remove Outlot 3 from plat. The sidewalk connection will require City maintenance and is redundant to sidewalk located on Tawny Elm Parkway close by.
12. The construction of this project will require that the applicant shall enter into a City/ Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Note: Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.
13. This development is subject to impact fees for the Lower Badger Mill Creek Sanitary Sewer and Stormwater Management Impact Fee District. All impact fees are due and payable at the time building permits are issued. The following note shall put on the face of the plans: "Lots/ buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued."
14. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
15. 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 Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
16. The applicant shall provide proof of septic system abandonment from Public Health- Madison and Dane County as a condition of plan approval. Septic System abandonment application is available online at <http://www.publichealthmdc.com/environmental/septage/>
17. An erosion control plan and land disturbing activity permit shall be submitted to the Engineering Division for review and approval prior to grading or any other construction activities. The Preconstruction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. The applicant shall demonstrate compliance with Sections 37.07 and 37.08 of 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 5.0 tons per acre per year.
18. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151; however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement.
19. A Phase 1 environmental site assessment (Phase 1 ESA), compliant with ASTM E1527-13, is required for the project area. The applicant shall provide one (1) digital copy and a paper copy only if specifically requested.

Staff review of this Phase 1 ESA will determine if a Phase 2 ESA is also required. Please submit report(s) to Brynn Bemis (608-267-1986, [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)) for review.

20. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat, the applicant shall contact either Tim Troester at 261-1995 ([ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com)) or Brenda Stanley at 261-9127 ([bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com)) 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).
21. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to: reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls; detain the 2-, 10-, and 100-year storm events, matching post development rates to predevelopment rates; provide substantial thermal control; provide infiltration in accordance with MGO Chapter 37; 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 of Madison General Ordinances.
22. 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.
23. The developer shall construct Madison Standard street, bike path and sidewalk improvements for all streets within the plat.
24. The developer shall make improvements to Pioneer Road to facilitate ingress and egress to the plat, including the construction of acceleration and deceleration tapers, right-turn lanes, passing lanes, and median openings. These improvements may require dedication of right of way outside of the limits of the plat.
25. The developer shall note the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat.
26. The developer shall confirm that adequate sight distance exists where public streets intersect. If adequate sight distance does not exist, the developer shall change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make other mitigating improvements as required by the City.

**City Engineering Division – Mapping Section** (Contact Jeff Quamme, 266-4097)

27. The portion of the existing Schewe Road shown on the preliminary plat shall be discontinued by the City of Madison and a public road easement retained over those areas until the public road improvements have been constructed and accepted to the satisfaction of the City Engineer. The applicant shall provide the map and description of the areas to be discontinued and vacated and coordinate with Engineering Mapping.



28. There currently is shown a gap between lands within this proposed plat and several parcels lying to the north. The noted conveyance for public street purposes (White Fox Lane) shall be recorded and the same area attached to the City of Madison prior to final plat sign off. The applicant shall provide a solution addressing the remainder of the property gap that remains to the west of this area along the northerly side of this plat.
29. The applicant shall submit a petition to attach to the City of Madison the lands to be conveyed for White Fox Lane in northeasterly corner of the plat. The attachment shall be completed per the procedure set forth by the Intergovernmental Agreement between the Town of Middleton and the City of Madison.
30. The plat requires new public (sanitary sewer, storm sewer, storm drainage, water main, bike pedestrian path) easements to be granted on the face of the land division. Contact Engineering (Jeff Quamme - jrquamme@cityofmadison.com ) to receive the appropriate easement terms/conditions language for inclusion on this plat.
31. If any off-site improvements or grading would become necessary for development, the developer is responsible to acquire any necessary easements or right of ways as required by the City, at the developer's expense. In the event that the developer would be unable to obtain those rights, the City would proceed with the acquisitions. The developer would reimburse the City for all costs associated with the acquisition, including attorney's fees and any and all costs associated with court ordered awards. The developer would provide a deposit at the time of contract execution to cover the estimated City staff expenses and easement cost for the acquisition. The developer shall note that separate, additional surety in an amount estimated to cover any potential court ordered awards would be retained by the City until such time as appeal rights have expired. The additional surety shall be provided prior to the City making an offer for the easement or right of way.
32. The applicant shall dedicate a 10-foot wide Permanent Limited Easement for grading and sloping along Pioneer Road.
33. 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 monument condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com). 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 and shall be attached to a signed and sealed monument condition report. The applicant shall identify monument types on all PLS corners included on the plat.
34. The applicant shall coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final plat.
35. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe PDF format. The digital CADD file shall be submitted in the WisDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be

void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat: 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. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any original submittal of data and prior to final sign off.

- 36. The preliminary plat shall be revised to clearly denote and show the corporate boundary of the City of Madison.
- 37. Revise the following street names prior to recording: Jaggy Pine Lane to Jagged Pine Drive; Hollow Aspen Run to Hollow Aspen Lane; Velvet Willow Way to Velvet Willow Road; Quiet Leaf Point to Quiet Leaf Drive; Ivory Dove Way to Ivory Dove Trail; Silent Wind Place to Silent Wind Road, and; Lush Woods Place to Lush Woods Trail.

**Traffic Engineering Division** (Contact Eric Halvorson, 266-6527)

- 38. The applicant shall execute and return a declaration of conditions and covenants (DCC) 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. If the DCC is not executed the applicant shall pay a \$30.00 fee which is payable to the City of Madison Treasurer to be delivered or mailed to Attention Eric Halvorson, Traffic Engineering, Madison Municipal Building, Suite 100, 215 Martin Luther King Jr. Blvd., P.O. Box 2986, Madison, Wisconsin 53701-2986.
- 39. Prior to final sign-off, the applicant shall work with the Traffic Engineering Division Electrical Section to record the necessary easements for streetlights.

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

- 40. 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 be designed to support a minimum load of 85,000 lbs. Ensure project phasing does not create long dead end streets without an adequate turnaround.
- 41. 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).”

**Water Utility** (Contact Adam Wiederhoeft, 261-9121)

- 42. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat per MGO 16.23(9)(d)(3).

43. All public water mains and water service laterals shall be installed by a standard City of Madison Subdivision Contract. The applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.
44. All operating private wells shall be identified and permitted by the Water Utility and all unused private wells shall be abandoned in accordance with MGO Section 13.21.

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

This agency did not provide conditions of approval for this request.

**Parks Division** (Contact Sarah Lerner, 261-4281)

45. On the revised preliminary plat dated February 14, 2018, the applicant proposes to dedicate approximately 9.6 acres of public park, identified as Outlot 4, which location is generally consistent with the Elderberry Neighborhood Development Plan.
46. The preliminary plat, as currently proposed, includes 243 single-family units with credit for one single-family unit home. Credit for the existing single family home will be credited to Lot 21 of the proposed plat. The parkland dedication requirement for a single-family and duplex unit is 1,081 square feet per MGO Sec. 16.23(8)(f) and 20.08(2). The total dedication requirement as proposed is approximately 6.0 acres. As proposed, Outlot 4 exceeds the required land dedication, no Park-Land Impact Fees will be due for this proposed subdivision.
47. Park-Infrastructure Impact Fee, per MGO Sec. 20.08(2), will be required for all new residential development associated with this subdivision. The applicant may enter into a development agreement for the park infrastructure improvements in lieu of paying Park impact fees.
48. Prior to sign off on the final plat the applicant shall execute a declaration of conditions and covenants along with an impact fee schedule for the Park Impact Fees for this development. This document will be recorded at the Register of Deeds. The applicant shall be responsible for all recording fees.
49. Lands that are dedicated for park purposes to fulfill the parkland dedication shall be suitable for park development. The applicant shall provide proposed grading plans prior approval of the area of dedicated public parklands. General guidelines for park development include:
  - a) Areas within a park to be used for open space for active and passive recreation shall be graded at 1-2% for the area where fields are proposed.
  - b) No side slopes within the park dedication area shall exceed 4:1.
  - c) Large or excessive retaining walls shall not be allowed on public parklands to meet the grading requirements.
  - d) The applicant shall provide a proposed bike path grading plan to show any potential impacts to the trees within the proposed park.
  - e) No propose utilities will be allowed on public park land without prior approval by the Parks Superintendent or his designee.

50. The applicant shall be required to fully remove the existing well in the proposed park. The existing well will need to be abandoned with proof of proper abandonment provided prior to the demolition of the existing house.
51. The applicant shall complete a tree inventory and health assessment for the trees located on the proposed public park. The applicant shall include the existing trees located on the existing residence, which are not all currently shown on the preliminary plat. The tree inventory and health assessment should be completed by an arborist and provided to the Parks Division with the final plat application. It should be noted that the existing tree at the northerly plat limits adjacent to Schewe Road right of way appears to be a large-diameter oak, and efforts should be made during the street and utility design to avoid impacts to the tree. Grading near existing trees adjacent to Lots 59-62 should be limited and stay outside of the drip line to preserve these trees.
52. The applicant shall enter into a maintenance agreement for the perpetual maintenance of the medians and private Outlots within the plat, specifically the proposed roundabout “F” Street. The applicant shall work with City Engineering or City Traffic Engineering on the approval of any plantings within the median(s)..
53. The applicant shall install a fence along the boundary of lands dedicated for public park purposes at the sole expense of the applicant. The fence shall be installed on private property to a design that is mutually agreeable to the applicant and Parks Division. The cost of the fence shall not be eligible for Park–Infrastructure Impact Fee credits. The applicant shall execute a deed restriction that would require the fence to be perpetually maintained by the property owners for any lots that are adjacent to publicly dedicated park lands.
54. No farming or use of lands to be dedicated to the public for park purposes shall be allowed unless specifically approved by the Parks Superintendent and permitted under a farm lease administered through the City of Madison Office of Real Estate Services.
55. The applicant shall prominently stake all boundaries and property irons for lands to be dedicated for park purposes.
56. City Forestry will evaluate the terrace for new street tree plantings upon completion of the project. If there is space for new trees, City Forestry will schedule planting and assess the cost of the initial planting to the property owner.
57. The following note should be included on the subdivision: “Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued.”
58. The developer shall provide soil borings within any lands to be dedicated as parkland.

**Office of Real Estate Services** (Lance Vest, 245-5794)

59. Prior to approval sign-off, the Owner’s Certificate on the final plat shall be executed by all parties having an interest in the property, pursuant to Wis. Stats. 236.21(2)(a). Certificate 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. The executed original hard stock recordable plat shall be presented at the time of sign-off.

60. A Consent of Lessee certificate shall be included on the plat for any tenancy in excess of one year, recorded or unrecorded, and executed by said tenant prior to agency plat approval sign-off. If mortgages of record are paid off prior to plat approval, a copy of the recorded satisfaction for said mortgage shall be provided prior to sign-off.
61. An Environmental Site Assessment is required because of the public dedications.
62. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish to Lance Vest in the City’s Office of Real Estate Services ([lvest@cityofmadison.com](mailto:lvest@cityofmadison.com)), as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (September 26, 2017) and the date when sign-off of the final plat is requested. A title commitment may be provided, but will only be considered as supplementary information to the title report update. The surveyor shall update the plat with the most recent information available in the title report update.
63. The following revisions shall be made to the final plat prior to final approval and recording:
  - a.) If in existence, depict and dimension all improvements including, but not limited to: buildings, drives, parking lots, encroachments, wells, septic systems, etc. associated with the lands described for the proposed plat.
  - b.) Record satisfactions or releases for all recorded instruments that encumber or benefit the subject lands, if all interested parties agree that the purpose for such instrument is no longer necessary or relevant for the purposes of the land division.