



PREPARED FOR THE PLAN COMMISSION

Project Address: 10451 Old Sauk Road and 621 Pioneer Road
Application Type: Revised Preliminary and Final Plat
Legistar File ID # [75244](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicants: Janice Faga, Fox Knoll, LLC; 7601 Ganzer Way, Suite 200; Madison.

Property Owners: Hawthorn & Stone Construction, Inc. ; 7601 Ganzer Way, Suite 200; Madison (621 Pioneer Road) and City of Madison Water Utility; 119 E Olin Avenue; Madison (10451 Old Sauk Road).

Surveyor: Chris Jackson, CJ Engineering; 9205 W Center Street, Suite 214; Milwaukee.

Requested Actions: Approval of a revised preliminary plat and final plat of *Fox Knoll*, creating 74 lots for single-family detached residences, one lot for an aerial reservoir, and two outlots to be dedicated to the public for stormwater management from 10451 Old Sauk Road and 621 Pioneer Road.

Proposal Summary: The *Fox Knoll* subdivision will primarily subdivide two parcels comprising approximately 33.2 acres into 74 single-family lots in TR-C3 (Traditional Residential–Consistent 3 District) zoning. The plat also creates a lot for Water Utility Water Tower 228 on the 10451 Old Sauk Road parcel and two outlots for stormwater management. The revised plat has been submitted to change the access to the development from Old Sauk Road as a result of unfavorable grades and sight distance where the western of two street intersections was previously approved.

The subdivision will be developed in two phases beginning as soon as all regulatory approvals are granted. Construction of the 74 residences will occur based on market demand.

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 combined preliminary plat and final plat application was accepted for review by the City on December 19, 2022. Therefore, the 90-day review period for this plat is scheduled to expire circa March 28, 2023.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward the revised preliminary plat and final plat of the *Fox Knoll* subdivision at 621 Pioneer Road and 10451 Old Sauk Road to the Common Council with recommendations of **approval**, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 5 of this report.

Background Information

Parcel Location: Approximately 33.2 acres of land located at the southeastern corner of Old Sauk Road and Pioneer Road; Alder District 9 (Conklin); Middleton-Cross Plains Area School District.

Existing Conditions and Land Use: The parcel at 621 Pioneer Road is undeveloped agricultural land, zoned TR-C3 (Traditional Residential–Consistent 3 District). 10451 Old Sauk Road is developed with Water Utility Water Tower 228, which is located on the eastern third of the parcel; the remainder of 10451 Old Sauk is otherwise undeveloped agricultural land in TR-C3 zoning.

Surrounding Land Use and Zoning:

North: Single-family residences and agricultural land located across Old Sauk Road in the Town of Middleton;

South: Future single-family residences in the Eagle Trace subdivision, zoned TR-C3 (Traditional Residential–Consistent 3 District);

East: Undeveloped land in the City of Madison, zoned A (Agricultural District);

West: Town of Middleton Hall, Dane County Sherriff substation, Pioneer Park, and Middleton Fire District Station No. 2 located across Pioneer Road in the Town of Middleton.

Adopted Land Use Plans: The 2018 [Elderberry Neighborhood Development Plan](#) identifies most of the subject parcels for residential uses in Residential Housing Mix (HM)1. The general location of the water tower is recommended for “Utilities” use, while the low-laying area adjacent to the Old Sauk-Pioneer intersection is recommended for Open Space and Stormwater Management. The neighborhood development plan also shows the transition zone and 80-foot setback buffer established along Pioneer Road by the 2003 *Final City of Madison and Town of Middleton Cooperative Plan*.

Environmental Corridor Status: The subject parcels contain no environmental mapped corridors.

Public Utilities and Services: The site will be served by a full range of urban services as it develops with the exception of Metro Transit, which does not currently provide service west of N Pleasant View Road. The proposed development is also outside Metro Transit's paratransit service area. The subject site will also be outside Metro's service area after the June 2023 route restructuring.

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

	Required	Proposed
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	See Zoning conditions
Other Critical Zoning Items		
Yes:	Utility Easements (to be established with final plat)	
No:	Urban Design, Wellhead Protection, Floodplain, Landmarks, Waterfront Development, Adjacent to Parkland	
Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator		

Previous Approvals

On August 2, 2016, the Common Council approved the attachment of 17.05 acres owned by the Madison Water Utility to the City of Madison from the Town of Middleton and assigned [permanent] A (Agricultural District) to the property. [Note: Water pumping stations and reservoirs are permitted uses in the A zoning district but are conditional uses in all residential districts, including the TR-C3 zoning. Future approvals of the water tower may be required subsequent to the subject plat.]

The Carrol A. Schiller Survivor's Trust property, now addressed as 621 Pioneer Road, was attached to the City of Madison from the Town of Middleton on October 20, 2020.

On June 15, 2021, the Common Council approved a request to rezone 621 Pioneer Road from Temporary A to TR-C3 (Traditional Residential–Consistent 3 District); and approved the preliminary plat and final plat of *Fox Knoll*, creating 39 lots for single-family detached residences and four outlots to be dedicated to the public for stormwater management.

On February 22, 2022, the Common Council approved a request to rezone 10451 Old Sauk Road from A to TR-C3; and approved the preliminary plat and final plat of the expanded *Fox Knoll* subdivision, creating 74 lots for single-family detached residences, one lot/outlot for an aerial reservoir, and two outlots to be dedicated to the public for stormwater management from 10451 Old Sauk Road and 621 Pioneer Road.

Project Description

The applicant, Fox Knoll, LLC, is requesting approval of a revised preliminary plat and final plat to develop two parcels containing a total of 33.2 acres of land located at the southeastern corner of Old Sauk Road and Pioneer Road as the *Fox Knoll* subdivision.

The northern of the two parcels is a 17.05-acre parcel owned by the City of Madison Water Utility and addressed as 10451 Old Sauk Road. The Water Utility parcel is developed with an approximately 175-foot tall aerial reservoir, Water Tower 228, which is located on the eastern third of the parcel. Access to the water tower is provided by a driveway from Old Sauk Road. The remainder of the property is undeveloped agricultural land. In 2021, the City issued a limited request for proposals for the property not needed for the water tower, to which the applicant was the sole respondent. In February 2022, the Water Utility property was rezoned to TR-C3 to facilitate the proposed subdivision. A Purchase and Sales Agreement between the City and applicant to allow the applicant to acquire the surplus property was approved by the Common Council at its May 10, 2022 meeting by Resolution 22-00363 (ID [70643](#)).

The southern of the two parcels comprising the proposed subdivision is an undeveloped agricultural parcel at 621 Pioneer Road with approximately 560 feet of road frontage. As noted in the preceding section, the 621 Pioneer parcel was zoned TR-C3 concurrent with the original iteration of the Fox Knoll development.

The 33.2 acres are characterized by a modest grade that falls to the west and east from a ridge that extends south to north through the two parcels. The lowest point of the property is located in the northwestern corner adjacent to the Old Sauk-Pioneer intersection. The western edge of the site is also characterized by a steep 5- to 10-foot embankment exists adjacent to Pioneer Road. The site is mostly devoid of vegetation with the exception of a modest tree rows along the southern property line and a line running from Pioneer Road to the water tower on the City-owned parcel.

Access to the proposed subdivision will be provided by the extension of Tawny Elm Parkway from its current terminus at the northern edge of the adjacent Eagle Trace residential subdivision north to Old Sauk Road. Rustic Rise Way, Windy Willow Road, and Clear Pond Way will also be extended north from Eagle Trace to provide access to lots in *Fox Knoll*, with Clear Pond proposed to curve to parallel Old Sauk Road. Whereas the plat approved in 2022 called for Windy Willow to extend directly north to intersect Old Sauk, the revised plat proposes a half-block long street, Stone Border Way, to extend between Old Sauk and the east-west section of Clear Pond to provide the second street access for the subdivision from Old Sauk Road. The applicant and City staff determined that the access point needed to move to the east to address unfavorable grades and sight distance along Old Sauk Road where the street was originally approved to intersect. Staff did not feel that the new street layout could be accommodated under the auspices of the prior subdivision approvals, therefore requiring the proposed revised plat approval being sought.

Access from Pioneer Road will continue to be provided by Fox Knoll Drive, an east-west local street that will extend across the subdivision, as previously approved.

Like the previous version of the plat approved in 2022, 74 single-family lots (Lots 1-74) and two outlots for stormwater management are proposed with the current plat. The layout between the two versions is effectively the same except in the area of Lots 44-46 on the north side of Clear Pond Way, which has been rearranged to accommodate the adjusted street layout. The plat also creates an approximately 1.7-acre Lot 75 for the water tower, which will be located on the south side of Clear Pond Way between Tawny Elm Parkway and Rustic Rise Way. Lot 75 will be retained by the Water Utility following recording of the plat. The plat identifies a 100-foot radius safety zone around the water tower, which will be located either on proposed Lot 75 or in the rights of way adjacent.

Analysis and Conclusion

The Planning Division believes that revised *Fox Knoll* subdivision conforms to the applicable lot design standards in the 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 in that zoning district. Staff also believes that the proposed subdivision layout is generally consistent with the land uses, density, and street pattern recommended in the adopted 2018 Elderberry Neighborhood Development Plan, which calls for the site to be developed with single-family housing at a net density not to exceed four (4) units per acre. The plan also identifies an area on the

Water Utility parcel for maintenance of the water tower, and an area in the northwestern corner of the overall site for stormwater management, which the proposed subdivision is consistent with.

The proposed 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.

The entire proposed subdivision is within a quarter-mile of Pioneer Road and is therefore subject to the transition provisions in the cooperative plan. City staff has reviewed the Fox Knoll plat and believes that it complies with the requirements of the cooperative plan. A note on the preliminary plat states that 18.74 acres of the 33.2-acre subject site will be developed with the 74 single-family lots, with the remaining land comprising the proposed rights of way, outlots, and water tower lot. The resulting density of the subdivision is 3.95 units per net acre. The maximum height allowed in the proposed 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 and 30-foot landscaping buffer is shown in the rear yards of Lots 31-37 backing onto Pioneer Road, while vehicular access restrictions are shown for the lots that will back onto Pioneer and Old Sauk Roads consistent with the requirements of the cooperative plan.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

The Planning Division recommends that the Plan Commission forward the revised preliminary plat and final plat of the *Fox Knoll* subdivision at 621 Pioneer Road and 10451 Old Sauk Road to the Common Council with recommendations 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. The final land area to be developed with the 74 single-family residential lots shall not be less than 18.5 acres of land consistent with the maximum density limits in the *Final City of Madison and Town of Middleton Cooperative Plan* (2003).

2. The final plat shall establish an 80-foot building setback line for Lots 31-37 backing onto Pioneer Road consistent with the City-Town cooperative plan. 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 adjacent to 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.
3. The final plat shall establish a 30-foot building setback line for Lots 44-49 backing adjacent to Old Sauk Road. The applicant shall submit a grading plan and landscaping plan (with cross-sections) with the final plat for approval by the Planning Division that provides a landscaped buffer for the northern 30 feet of Lots 44-49. The planting area/buffer strip adjacent to Old Sauk Road shall be reserved for the planting of trees or shrubs by the owner; the building of buildings hereon is 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 30-foot buffer.
4. A phasing plan for the subdivision shall be provided to the Planning Division and City Engineer, which shows how the two phases indicated in the letter of intent will be constructed. The phasing plan shall ensure that adequate access and utilities will be provided to the first phase while the second phase of subdivision improvements is completed.
5. Note: Water reservoirs are a conditional use in the TR-C3 zoning district. Future modifications to the water tower parcel following recording of the plat may require approval of a conditional use by the Plan Commission.

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

City Engineering Division (Contact Tim Troester, (608) 267-1995)

6. A Phase 1 environmental site assessment (per ASTM E1527-13), is required for lands dedicated to the City. Provide one (1) digital copy and staff review will determine if a Phase 2 ESA is also required. Submit report(s) to Brynn Bemis (608) 267-1986, bbemis@cityofmadison.com).
7. Offsite sanitary sewer improvements are required to serve the proposed development as a condition of development, on Old Sauk Road or on Clear Pond Way.
8. The construction of this project will require that the applicant shall enter into a City/ Developer agreement for the required infrastructure improvements. The agreement shall be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement.
9. The developer shall construct Madison standard street, multi-use path, and sidewalk improvements for all streets within the plat.

10. The developer shall construct sidewalk, terrace, curb and gutter, and four (4) feet of pavement along Old Sauk Road. Construct terrace, curb and gutter, and four (4) feet of pavement along Pioneer Road.
11. The developer shall make improvements to Old Sauk Road and Pioneer Road to facilitate ingress and egress to the plat as required by the City Traffic Engineer.
12. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat
13. This development is subject to impact fees for the Lower Badger Mill Creek Sanitary Sewer and Stormwater Management Impact Fee District, and the West Elderberry Neighborhood Sanitary Sewer Improvement Impact Fee. All impact fees are due and payable at the time building permits are issued. Add the following note on the face of the plat: "Lots / buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued."
14. Madison Metropolitan Sewerage District (MMSD) 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.
15. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at 608-261-9127 (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 and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
16. An Erosion Control Permit is required for this project.
17. A Storm Water Management Report and Storm Water Management Permit is required for this project.
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. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or the Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.
19. Submit a soil boring report that has been prepared by a Professional Engineer two weeks prior to recording the final plat to the City Engineering Division indicating the ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than nine (9) feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.

20. Confirm that adequate sight distance exists where public streets intersect per AASHTO design standards for intersection sight distance. If adequate sight distance does not exist, change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make the mitigating improvements as required by the City. Caution: The improvements indicated may require right of way outside of the plat limits.
21. Outlots 1 and 2 are platted in a way that creates excess street frontage. The developer shall be responsible for full width street and sidewalk construction of the Tawny Elm Parkway and Clear Pond Way frontages of Outlot 2. The developer shall be responsible for construction of sidewalk, terrace, curb and gutter, and four (4) feet of pavement on Old Sauk Road fronting Outlot 1.
22. Provide calculations for the 500-year storm event, as identified in Madison General Ordinance Chapter 37, as part of the plat design and stormwater management plan. The flows from this design storm event will be routed through the development and used to determine an anticipated safe top of concrete foundation elevation for future buildings in critical areas.
23. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11" by 17" copy of an erosion control plan (PDF electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
24. Demonstrate compliance with MGO Section 37.07 and 37.08 regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
25. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by MGO Chapter 37.
26. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Storm Water Management Plan & Report shall include compliance with the following:
 - Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.
 - Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering.
 - Detain the 2-, 5-, 10-, 100-, and 200-year storm events, matching post development rates to predevelopment rates and using the design storms identified in MGO Chapter 37.

Provide infiltration of 90% of the pre-development infiltration volume.

Reduce TSS by 80% (control the 5-micron particle) off of newly developed area as compared to no controls.

Provide substantial thermal control to reduce runoff temperature in cold water community or trout stream watersheds.

27. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

City Engineering Division – Mapping Section (Contact Jeff Quamme, (608) 266-4097)

28. There is required grading for the construction of Tawny Elm Parkway over adjacent lands to the east. Also, if required by design requirements, public street improvements at the intersection of Tawny Elm Parkway with Old Sauk Road over adjacent lands to the east. The developer will be required to acquire any required off-site grading/construction easements and public street dedication/ easement as determined necessary by the City at the developer's expense. In the event that the developer is unable to acquire any offsite dedication or easements required, the City shall proceed to acquire the easements. The developer would be required to reimburse the City for all costs associated with any acquisition, including attorney's fees and any and all costs associated with court ordered awards. The developer is required to 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 would be provided prior to the City making an offer for the easement or fee title acquisition.
29. The USPS Cluster Box Unit Easements are shown on the plat. Provide written confirmation of the locations being approved by the USPS and Traffic Engineering. Also provide the draft agreements for the maintenance, repair and replacement of the CBU improvements for review. The agreements shall be recorded immediately after the plat. No building permits shall be issued until the agreements have been recorded and copies provided to Jeff Quamme (jrquamme@cityofmadison.com)
30. A significant portion of the lands within this plat are owned by the City of Madison (Water Utility). The future update of the title report shall include any subsequent conveyances to the developer.
31. Add a note 2 to the Typical Public Easement for Drainage Purposes detail at the bottom of sheet 2 to avoid a setback conflict: "The Public Easement for Drainage Purposes along the south side of Lots 1, 10, 11, 20, 21, 30 and 31 along the south boundary of this plat shall be 6 feet in width."
32. Submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work shall be void of gaps and overlaps and match the final recorded plat: a) right-of-way lines (public and private); b) lot lines; c) lot numbers; d) lot/plat dimensions; e) street names; and f) easement lines (i.e. all shown on the plat including wetland and floodplain boundaries.).

This transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data for any changes subsequent to any submittal.

Traffic Engineering Division (Contact Sean Malloy, (608) 266-5987)

33. The applicant shall execute and return a declaration of conditions and covenants for streetlights prior to sign off of the final plat.
34. The applicant shall add a note to the final plat stating no driveway shall be constructed that interferes with the orderly operation of the pedestrian walkway. This will require all pedestrian ramps to be constructed separate from driveway entrances; a curb-head of no less than six (6) inches in width shall be constructed between all pedestrian ramps and driveway entrances. This is especially important at 'T' intersections where lot and building layout become critical; to prevent interference with the pedestrian ramp, lots intersecting or adjacent 'T' intersection may require a shared driveway and access.
35. Prior to final sign-off, the applicant shall work with the Traffic Engineering Division Electrical Section to record the necessary easements for streetlights. Typically, Traffic Engineering requires a 12-foot wide easement between lots and 6-foot easements on corner lots where streetlights are needed.

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4429)

36. Submit the survey or site plan for the water tower site, Lot 75.
37. Note a minimum of 500 square feet of usable open space is required. Usable open space shall be at ground level in a compact area of not less than 200 square feet, with no dimension less than 8 feet and no slope grade greater than 10%. Usable open space shall be outside of a required front or corner side yard, as extended to the rear lot line. Usable open space shall not include areas occupied by buildings, driveways, drive aisles, off-street parking, paving and sidewalks, except that paved paths no wider than 5 feet and pervious pavement may be included as usable open space.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

38. The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e). An upgrade to include a fire sprinkler system with a cost estimate shall be made available for all initial single- or two-family home sales.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

39. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat per MGO Section 16.23(9)(d)(3).
40. All public water mains and water service laterals shall be installed by a standard City subdivision contract / City-Developer agreement. The applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.

Metro Transit (Contact Tim Sobota, (608) 261-4289)

The agency has reviewed this request and recommended no conditions of approval.

Parks Division (Contact Ann Freiwald, (608) 243-2848)

41. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sections 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the West Park-Infrastructure Impact Fee district. Please reference ID 21009 when contacting Parks Division staff about this project.
42. 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.
43. 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." The Parks Division shall be required to sign off on this plat.

Forestry Section (Brandon Sly, (608) 266-4816)

The agency has reviewed this request and recommended no conditions of approval.

Office of Real Estate Services (Heidi Radlinger, (608) 266-6558)

44. Prior to approval sign-off by the Office of Real Estate Services ("ORES"), all parties having an interest in the property, pursuant to Wis. Stats 236.21(2)(a), shall execute the Owner's Certificate on the plat. Certificates shall be prepared with the ownership interests consistent with the most recent title report. When possible, the executed original hard stock recordable plat shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the plat containing electronic signatures shall be provided to ORES to obtain final sign-off.
45. If a mortgage or other financial instrument is reported in record title but has been satisfied or no longer encumbers the lands or ownership within the plat boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to plat approval sign-off.
46. 2022 real estate taxes are outstanding for the subject property. Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to Plat recording. This includes property tax bills for the prior year that are distributed at the beginning of the year. Receipts are to be provided before sign-off and checks are payable to: City of Madison Treasurer; 210 Martin Luther King, Jr. Blvd.; Madison, WI 53701.
47. There are no special assessments reported for the parcels within the plat boundary. Pursuant to MGO Section 16.23(5)(e)1 and Wis. Stats. 236.21(3), all special assessments levied prior to plat approval sign off shall be paid in full in advance of plat approval sign-off.

48. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish to Heidi Radlinger (hradlinger@cityofmadison.com) in the City's Office of Real Estate Services (ORES), as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (November 17, 2021) and the date when sign-off approval 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. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the plat.
49. The owner shall email the document number of the recorded plat to ORES via email to Heidi Radlinger when the recording information is available.