PLANNING DIVISION STAFF REPORT

May 22, 2023

PREPARED FOR THE PLAN COMMISSION

Project Address: **9102-9236 Honey Harvest Lane, 9104-9234 Turning Oak Lane, 9103-9231 Turning Oak Lane, et al**

Application Type: TR-P Master Plan Amendment, Preliminary Plat and Final Plat, Conditional Use–Residential Building Complex

Legistar File ID # 76506, 76508, and 76589

Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicant & Property Owner: Chris Ehlers, East South Point, LLC/ 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:

- ID 76506 – Approval of an alteration to an approved Traditional Residential–Planned (TR-P) District master plan for the Acacia Ridge subdivision to reflect the proposed Acacia Ridge Replat No. 4 subdivision.
- ID 76589 – Approval of the preliminary plat and final plat of *Acacia Ridge Replat No. 4*, replatting 54 single-family lots and an outlot for a public alley into 66 lots for single-family and two-family dwellings, and one outlot for private open space.
- ID 76508 – Consideration of a conditional use in the TR-P District for a residential building complex with 10 single-family detached dwellings on two lots in the future *Acacia Ridge Replat No. 4*.

Proposal Summary: The requests before the Plan Commission and Common Council include a request to amend the TR-P Master Plan governing a portion of the Acacia Ridge subdivision and the preliminary plat and final plat of the *Acacia Ridge Replat No. 4* to replat 54 lots and an outlot for a public alley in the recorded Acacia Ridge subdivision into 66 lots for single-family and two-family dwellings, and one outlot for private open space. Two of the proposed lots, Lots 613 and 614, will each be developed with five single-family residences that will be subsequently part of a condominium; for zoning purposes, the 10 future condominium units on two lots are considered a residential building complex.

Development of the Acacia Ridge subdivision is ongoing, with completion of the subdivision anticipated based on market demand for units.

Applicable Regulations & Standards: The requirements and process for the TR-P zoning district are outlined in Section 28.053 of the Zoning Code. The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations. Residential building complexes are subject to supplemental regulations in Section 28.151. Section 28.183 provides the process and standards for the approval of conditional use permits. Review by the Urban Design Commission of the residential building complexes is required per Section 33.24(4)(c) of the Urban Design Commission ordinance.

Review Required By: Urban Design Commission (conditional use only), 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 application for preliminary plat and final plat approval was submitted to the City on February 27, 2023, with the 90-day review period for this plat scheduled to expire circa May 28, 2023. However, the applicant has provided an extension to allow the review to extend past May 28 to address issues raised by staff during the review.

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and forward the preliminary plat and final plat of *Acacia Ridge Replat No. 4* dated May 8, 2023 to the Common Council with a recommendation of **approval** and **approve** the amended TR-P Master Plan for the Acacia Ridge subdivision and proposed residential building complex, all subject to input at the public hearing and the conditions from reviewing agencies beginning on page 7 of this report.

Background Information

Parcel Location: The overall area of the requests comprises approximately 7.55 acres of land located on the north side of Valley View Road generally between Redan Drive and Lone Oak Lane; Alder District 1 (Duncan); Madison Metropolitan School District.

Existing Conditions and Land Use: Undeveloped land zoned TR-P (Traditional Residential–Planned District).

Surrounding Land Uses and Zoning:

North: Acacia Ridge Park and land owned by the Madison Metropolitan School District (MMSD) for a future school site, zoned TR-C3 (Traditional Residential–Consistent 3 District); future single-family residences in the Acacia Ridge subdivision, zoned TR-C3 and TR-P (Traditional Residential–Planned District);

South: Single-family residences across Valley View Road in the Linden Park subdivision, zoned TR-C3;

West: Future single-family residences in Acacia Ridge, zoned TR-P and TR-C3; single-family residences in the Town of Middleton; and

East: Future single-family residences in Acacia Ridge, zoned TR-P and single-family residences and undeveloped land in the Town of Middleton.

Adopted Land Use Plan: The subject site is located within the boundaries of the 2018 Pioneer Neighborhood Development Plan, which recommends that the area of the replat be developed with low-density residential uses up to eight units an acre in Residential Housing Mix 1.

Zoning Summary: The proposed lots will be zoned TR-P (Traditional Residential–Planned District).

	Requirements – Single-Family Detached	**Proposed Lots**
Lot Area	2,900 sq. ft. per lot	All lots exceed
Lot Width	30'	Will comply

	Requirements – Single-Family Detached	Proposed Lots
Minimum Front Yard	15’	To be determined at permitting
Maximum Front Yard Setback	30’ or up to 20% greater than block average	
Side Yards	5’	
Reverse Corner Side Yard Setback	8’ (10’ for garage)	To be determined at permitting
Rear Yard	Street-accessed: 20’ Alley-accessed: 2’	
Maximum Lot Coverage	75%	
Maximum Building Height	Three stories and 35’	
Building Forms	Single-family detached dwelling	
Other Critical Zoning Items		
Yes	Utility Easements	
No:	Barrier Free, Urban Design, Wellhead Protection, Floodplain, Landmarks, Waterfront Development	
Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator		

Environmental Corridor Status: There are no mapped environmental corridors within the area of the replat.

Public Utilities and Services: The subject site will be served by a full range of urban services as it develops with the exception of Metro Transit, which currently does not provide service west of S Pleasant View Road. Following initiation of the new Metro service network this June, the closest service will be located on Junction Road south of Mineral Point Road (at the site of the Bus Rapid Transit west terminal).

Previous Approvals

On October 31, 2017, the Common Council approved a request to rezone 645-703 South Point Road from Temp. A (Agricultural District) to TR-P (Traditional Residential–Planned District), TR-C3 (Traditional Residential–Consistent 3 District) and CC-T (Commercial Corridor–Transitional District), and; approval of the preliminary plat of *Acacia Ridge*, creating 406 single-family lots, six lots for three (3) two-family-twin dwellings, one lot for future multi-family development, one lot for future mixed-use development, one outlot for a public park, one lot for a future public school, four outlots for private open space, and outlots to be dedicated to the public for stormwater management, alleys, and sidewalks.

On June 19, 2018 meeting, the Common Council approved a request to amend the TR-P master plan for the Acacia Ridge subdivision to add six single-family residences to the approved planned district and release a condition of the previous approval, and; approval of a revised preliminary plat and the final plat of *Acacia Ridge*, creating 412 single-family lots, six lots for three (3) two-family-twin dwellings, one lot for future multi-family development, one lot for future mixed-use development, one outlot for a public park, one lot for a future public school, four outlots for private open space, and outlots to be dedicated to the public for stormwater management, alleys, and sidewalks. The final plat was recorded on February 25, 2019.

On November 17, 2020, the Common Council approved a request to rezone land generally addressed as 540-550 Redan Drive and 804-836 and 809-837 Seven Winds Trail, et al from TR-C3 (Traditional Residential–Consistent 3 District) to TR-P (Traditional Residential–Planned District); an amendment to the TR-P Master Plan for the Acacia Ridge subdivision and approval of the preliminary plat and final plat of *Acacia Ridge Replat No. 1*, replatting 39 lots approved for single-family residences into 53 single-family lots. The final plat was recorded on June 17, 2021.

On January 18, 2022, the Common Council approved a request to rezone land generally addressed as 9304-9332 Tawny Acorn Drive, 560-580 Redan Drive, et al from TR-C3 (Traditional Residential–Consistent 3 District) to TR-P (Traditional Residential–Planned District); approval of an amendment to the TR-P Master Plan for the Acacia Ridge subdivision; and approval of the preliminary plat and final plat of *Acacia Ridge Replat No. 2*, replatting 100 single-family lots into 104 single-family lots and replatting two outlots for public alleys. The final plat was recorded on January 23, 2023.

Project Description

The applicant, Veridian Homes, is requesting approval of the preliminary plat and final plat of *Acacia Ridge Replat No. 4* to replat Lots 514-568 and Outlot 225 of the recently recorded Acacia Ridge Replat No. 2 subdivision. In order to reflect the proposed replat, an amendment to the approved TR-P master plan for Acadia Ridge is requested. Additionally, the applicant is seeking approval of a conditional use for a residential building complex to allow two of the proposed lots to be developed with a total of ten single-family residences that will be part of a future condominium.

The area of the proposed replat encompasses approximately 7.55 acres in the southernmost portion of the Acacia Ridge development, on the north side of Valley View Road and west of Lone Oak Lane. The area of the replat includes 54 of 104 lots and one of the public alley outlots created by Acacia Ridge Replat No. 2. The current replat is bounded on the west by White Sky Pass and by the second public alley outlot created by Replat No. 2 north of Honey Harvest Lane. As part of the replat, Turning Oak Lane, which was dedicated with Replat No. 2, will be vacated/discontinued as a public street and will instead be re-created as an alley to serve the new lot layout.

The replat proposes 66 lots to be developed with a variety of single-family and two-family residences. Beginning on the northern edge of the subject site, 15 lots for alley-loaded single-family residences will be replatted as 17 lots for future single-family residences. South of Honey Harvest Lane, the one and a half existing platted blocks of lots for future single-family residences will be reconfigured into 15 pairs of lots to be developed with two-family twin residences, including four such twin homes (duplexes) along the west side of Lone Oak Lane, and eleven twin homes on 22 lots to be located along the north side of Valley View Road and accessed from the re-created Turning Oak Lane alley. Whereas the current lot arrangement includes no lots on the east side of White Sky Pass, the proposed replat will introduce seven single-family lots along the east side of that street. Access to the rear-loaded garages for the future residences fronting onto White Sky Pass and Lone Oak Lane will be provided by shared driveways to be located in 30-foot wide easements along the rear lines of those lots.

The center of the replat will include a 1.17-acre private park/open space parcel, Outlot 26, which will primarily front onto Honey Harvest Lane,. The replat proposes 10 lots for single-family residences on Lots 615-624, which will be oriented toward the private park and be accessed from the Turning Oak Lane alley to the south.

The last two lots included in the proposed replat, Lots 613 and 614, will each be developed with five single-family residences that may be subsequently part of a condominium. The proposed units will orient toward the private park on Outlot 27. Rear-loaded two-car garages are proposed, which will be accessed from the shared driveways serving the residences on White Sky Pass and Lone Oak Lane. Plans for the 10 residences on Lots 613 and 614 call for a variety of one- and two-story prototypes to be developed across the site. The application materials include a series of possible designs for the future homes, which the applicant intends to determine prior to construction. Floorplans and typical exteriors for the future homes are included in the Plan Commission materials for this request. For zoning purposes, the 10 future units on the two lots are considered a residential building complex, which is a conditional use in the TR-P zoning district.

Supplemental Regulations

Residential building complexes, which are defined as "a group of two or more residential buildings on a single parcel or tract of land, developed under single ownership and common management" are conditional uses in the TR-P zoning district and are subject to the following supplemental regulations in Section 28.151 of the Zoning Code (as applicable):

(a) Recreational areas may be required to serve the needs of the anticipated population.

(b) Setback requirements may be reduced as part of the conditional use approval, provided that equivalent open space areas are provided.

(c) Minimum distances between buildings shall equal the combination of the required side yards for each building, unless reduced by the Plan Commission as part of the conditional use approval.

(d) An appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.

(g) Shall be reviewed by the Urban Design Commission pursuant to Sec. 33.24(4)(c), MGO.

(h) All Residential Building Complexes shall be submitted with a plan for building placement, circulation, access and parking, and information on the architectural design of the development.

(i) Each building in a Residential Building Complex shall provide the lot area and usable open space required for the building type by the zoning district.

The supplemental regulations for a Two-Family Dwelling–Twin in Section 28.151 of the Zoning Code are as follows (as applicable to the TR-P district):

(a) Each unit shall be separated from the abutting unit by a minimum fire separation complying with Wis. Admin. Code § SPS 321.08, providing a vertical separation of all areas from the lowest level to flush against the underside of the roof.

(b) The common wall between dwelling units shall be approximately perpendicular to the street right-of-way line. When a parcel containing a Two Family Dwelling–Twin is divided by Certified Survey Map, the lot line shall run continuously from the front lot line to the rear lot line through the common wall.

(c) Each unit shall have separate water services, curb stops, lines and meters. The water service may be split in the terrace, with separate curb stops, lines and meters.

(d) Each unit shall have separate sanitary sewer service laterals and lines.

(e) Each unit shall have separate gas and electric meters.

(f) A Two Family Dwelling–Twin divided by Certified Survey Map shall have a joint cross access and maintenance agreement that has been submitted with the land division application and which shall be recorded with the land division.

Analysis & Conclusion

All of the lots in the proposed *Acacia Ridge Replat No. 4* appear to meet the dimensional requirements of the TR-P zoning district. The proposed lots also exceed the 80-foot minimum lot depth required by the Subdivision Regulations for lots in the TR-P zoning district. The Planning Division also believes that the Plan Commission may find that the proposed rezoning and replat are consistent with the Residential Housing Mix (HM) 1 recommendations for the site in the Pioneer Neighborhood Development Plan, which calls for the development of a mix of housing types and lot sizes at a density of up to eight (8) units per acre. Planning staff also welcomes the introduction of units in the Acacia Ridge development that will front onto Valley View Road with the new layout of this portion of the subdivision, whereas the plat previously called for the future residences to back up to Valley View, with a planted buffer strip proposed adjacent to the sidewalk to screen the residences from the road.

The layout of the proposed replat also generally conforms to the design requirements in the Subdivision Regulations, albeit in a somewhat unconventional fashion. When initially submitted, the replat (dated March 2, 2023) included two private alley outlots to provide access to the rear-loaded garages for the future residences on Lots 606-614 and 625-632. However, the intersection of those private alley outlots with the Turning Oak Lane public alley was determined to violate design provisions for alleys in Section 16.23(8)(a)8.a.vii.B of the Subdivision Regulations, which do not allow for intersections in alleys. [Note: Turning Oak Lane is currently a dedicated public street, which will be vacated/ discontinued with this replat and dedicated instead as a named public alley to allow some of the abutting residential lots to be accessed and addressed in accordance with Madison General Ordinance.] Additionally, Section 28.135(2)(b) of the Zoning Code allows lots to front onto a public or private park instead of a public street provided that the park fronts onto a public street, and the abutting residential lots have access and are addressed from a dedicated *public* alley, which prevents the Turning Oak Lane alley from pivoting to private ownership and maintenance, as Lots 615-624 would not meet the alley access requirement in the Zoning Code.

In response to the alley design requirements, the applicant revised the replat to eliminate the private alley outlots in favor of the 30-foot wide easements, which will be used for private access, driveways and parking, and public utilities. The shared driveways to be located in these easements will be sized to comply with Fire Department access requirements, which are typically a minimum of 20 feet of pavement width for buildings not requiring aerial apparatus access. Staff has determined that the intersection of the shared driveways with the Turning Oak Lane public alley does not constitute an intersection for the purposes of applying the alley design requirements, therefore allowing the current version of the replat to move forward. **The preliminary plat and final plat requested for approval are dated May 8, 2023 (the attachments ending with "_05-08-23").**

Staff will note for the Plan Commission that the City of Madison Streets Division does not collect refuse or recycling from alleys, whether they are public or private, primarily due to the incompatibility between the collection

equipment used by the City and the design of the alleys. Therefore, many of the lots in the proposed *Acacia Ridge Replat No. 4* subdivision will either need to contract for private waste collection or residents will need to move their City collection carts to the nearest public street frontage for collection on their assigned day. The City will also not maintain the shared private easement driveways, so maintenance like snow removal and pavement repair will be the responsibility of the abutting owners or an association that will levy assessments to the benefitting lots. In the case of the proposed replat, the applicant has indicated that it is their intent to create a homeowners association to oversee waste collection and maintenance of the private driveways within the replat.

The Urban Design Commission reviewed the proposed residential building complex at its April 19, 2023 meeting and recommended **final approval** with no conditions.

Recommendation

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

The Planning Division recommends that the Plan Commission find the standards met and forward the preliminary plat and final plat of *Acacia Ridge Replat No. 4* dated May 8, 2023 to the Common Council with a recommendation of **approval** and **approve** the amended TR-P Master Plan for the Acacia Ridge subdivision and proposed residential building complex, all 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 applicant shall submit to the Planning Division two copies of private subdivision covenants, conditions and restrictions, and easements that will govern the organizational structure, use, maintenance and continued protection of the development and any common services, open areas or other facilities to serve the proposed replat, including the shared private access driveways. These documents shall be approved by the Planning Division in consultation with the City Attorney's Office prior to final approval of the plat for recording.

2. That prior to final approval and recording of the final plat, the applicant shall demonstrate compliance with the requirements in Section 16.23(8)(f)8 of the Subdivision Regulations for privately-owned and maintained open space, including the execution of land use restrictions and open space easements in a form acceptable to the Parks Division, Planning Division, and City Attorney's Office.

3. The width of pavement, corner radii, and right of way width for Turning Leaf Lane shall be approved by the City Engineer, Fire Marshal and Streets Superintendent prior to final approval and recording of the final plat.

4. The width of pavement and shared access easements serving the future residences on Lots 606-614 and 625-632 shall be approved by the approved by the Fire Marshal and plans for the shared driveways and parking lots shall be part of the final plans on file with the Zoning Administrator.

5. The two-family twin dwellings shall have a joint cross access and maintenance agreement recorded that addresses the shared maintenance of the exterior elements of those units (roof, walls, etc.) consistent with the requirements in Section 28.151 of the Zoning Code.

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

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

6. Proposed lots 613 and 614 will be served by private sanitary sewers that will require an ownership/ maintenance agreement (recorded) for the private sewer main prior to plan approval for these two lots.

7. The stormwater management plan will need to be updated to show that the increased density that is being proposed can be accommodated by the existing stormwater features.

8. 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 the City Engineering Division to schedule the development and approval of the plans and the agreement.

9. The developer shall be responsible for the construction of the north side of Valley View Road adjacent to the plat, including any transitions to existing pavement beyond the plat as determined by the City Engineer and City Traffic Engineer. The work in Valley View Road will include, but is not limited to, sidewalk, curb and gutter, storm sewer, and pedestrian islands to facilitate pedestrian crossings.

10. Make improvements to Valley View Road in order to facilitate ingress and egress to the development.

11. The developer shall construct Madison standard street, multi-purpose path, and sidewalk improvements for all streets fronting the plat.

12. 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 other mitigating improvements as required by the City. Note: The improvements indicated may require right of way outside of the plat. The developer shall be required to cost share in regrading Valley View Road east of Lone Oak Lane.

13. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.

14. 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 plat: “Lots/ buildings within this development are subject to impact fees that are due and payable at the timebuilding permit(s) are issued.”

15. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder ((608) 261-9250) toobtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff per MGO Section 16.23(9)(d)(4).

16. An Erosion Control Permit is required for this project.

17. This project will disturb 20,000 square feet or more of land area and requires an Erosion Control Plan. Please submit an 11- by 17-inch 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.

18. Demonstrate compliance with Sections 37.07 and 37.08 of Madison General Ordinances 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.

19. 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.

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

20. City Engineering Sewer staff will not permit the future condominium units within Lots 613 and 614 to be served from public sanitary sewer within adjacent Outlot 27 due to access issues. Also Lots 615-624 are to be served from the proposed public alley of Turning Oak Lane. Remove the public sanitary sewer easement from Outlot 27 and provide a private sanitary sewer easement as necessary to serve Lots 613 and 614 referring to a separately recorded document that sets forth the conditions for construction, maintenance, repair and replacement of the private sanitary sewer. Provide the separate document for review prior to final sign off.

21. This replat requires the vacation/discontinuance of Turning Oak Lane. Provide to the City of Madison Engineer, copied to Jeff Quamme, Manager of the Land Information Official Map, a petition signed by all adjacent property owners of the area to be vacated along with the legal description, map exhibit of the right of way to be vacated and a recorded copy of the Lis Pendens as required by Wis. Stat 66.1003(9). The public ways shall be discontinued by separate resolution by the City of Madison under s.66.1003 (2) of the Wisconsin Statutes. The discontinuances shall be introduced to the Common Council upon the receipt and approval of the required petition, map exhibits and legal descriptions. The final recording and effective date of the vacation shall be conditioned upon the conditions of approval for the development being met to the satisfaction of the City of Madison Engineer.

22. The existing public utility easements within this replat shall be released by separate document by the Utilities serving this area and by document prepared by City Office of Real Estate Services. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, (608) 266-4097) to coordinate the Real Estate project, and associated information and fees required. The other Utilities shall release the easements prior to the City of Madison recording its release. The easements shall be released prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat.

23. The existing 30-foot wide Private Landscaping Easement adjacent to Valley View Road per Document No. 5883303 shall be released by separate document prior to recording of the plat and acknowledgement of the release and document number shall be noted on the face of the plat. Correct the last sentence of Note 8 to 5883303, as 5471585 has already been released by 5877907.

24. 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.

25. As required by Ordinance, provide private Easements or private Outlots to accommodate the current United States Postal Service (USPS) required centralized delivery of mail using Cluster Box Units (CBUs). Coordinate the locations of the CBUs with the USPS Development Coordinator, City Engineering and Traffic Engineering staff and in accordance with the Policies for Cluster Box Units as adopted by the City of Madison Board of Public Works. CBUs serving this subdivision will not be permitted within any publicly owned or dedicated lands.

    If the developer is not able to determine the final locations of the CBUs prior to recording the final plat, the final placement of CBUs for each phase of development within this land division shall be determined prior to construction. The locations for each phase shall as required by Ordinance, in accordance with the Policies for Cluster Box Units as adopted by the City of Madison Board of Public Works and in compliance with United States Postal Service requirements.

    The required CBU documents shall be recorded prior to the start of construction of the public improvements serving any Lot or Outlot. In the instance of land divisions that do not require the construction of public improvements or a contract with the developer, the required approved CBU documents shall be recorded simultaneously with the final approved subdivision. Construct the CBUs in accordance with the specifications approved by the Board of Public Works.

26. The Private Sidewalk, Private Water Main, Private Parking and Landscaping, Private Sanitary Sewer Easements shall all include the Lots that are to be beneficiaries of each easement. The text shall also note to see a separately recorded instrument setting forth terms for use, construction, maintenance, repair and replacement of the associated facilities.

27. The alley dedication of Turning Oak Lane shall be modified to include Public Storm Sewer and Drainage Uses.

28. 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. Note: Land tie to two PLS corners required.

29. Prior to Engineering final sign-off by main office for plats, the final plat shall be submitted in PDF format by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final City Engineering Division sign-off.

30. The pending plat application for this property shall be completed and recorded with the Dane County Register of Deeds, the new parcel data created by the Assessor's Office, and the parcel data available to Zoning and Building Inspection staff prior to issuance of building permits for new construction.

31. The applicant shall submit to Jeff Quamme, prior to final 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: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).

    *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 and electronic data for any changes to the plat which occur subsequent to any submittal of data.

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

32. The applicant shall provide turning movement diagrams to be approved by the Streets and Traffic Engineering Divisions for Turning Oak Lane prior to sign-off.

33. 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 easement between lots and 6-foot easements on corner lots where street lights are needed.

34. The applicant shall add a note to the 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.

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

35. The applicant proposes south side yard setbacks of 5.5 feet. The minimum required side yard setback for a residential building complex is 10 feet. The setback requirements may be reduced as part of the conditional use approval, provided that equivalent open space areas are provided.

36. Provide a calculation for lot coverage for both residential building complex lots with the final plan submittal. The lot coverage maximum is 75%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.

37. Show the height of the proposed single-family houses on the elevations. The maximum height is three (3) stories and 35 feet. Height is the average of the height of all building facades. For each facade, height is measured from the midpoint of the existing grade to the highest point on the roof of the building or structure. No individual facade shall be more than 15% higher than the maximum height of the zoning district.

38. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect.

39. Identify the building color schemes for the various houses within the residential building complexes.

40. Verify whether new parking lot lighting will be installed for the visitor or guest parking stalls. New parking lot lighting must comply with MGO Section 29.36 outdoor lighting standards. If parking lot site lighting is provided, submit a lighting photometric plan and fixture cut sheets with the final plan submittal.

41. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

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

42. Provide details on the turning radii onto Turning Oak Lane and the ability to comply with all fire access lane requirements.

43. 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)

44. 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).

45. All public water mains and water service laterals shall be installed by a standard City subdivision contract / City-Developer agreement. 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)

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

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

46. 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.

47. 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.

48. The following note shall 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."

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

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

Office of Real Estate Services (Jenny Frese, (608) 267-8719)

49. 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. Signatories shall provide documentation that proves legal authority to sign the Owner's Certificate. When possible, the executed original hard stock recordable plat shall be presented at the time of ORES approval sign-off. If not possible, 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 prior to obtaining approval sign-off.

50. Prior to plat approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors, if applicable, shall be included following the Owner's Certificate(s).

51. 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.

52. Disclose any farm leases for the upcoming 2023 season.

53. If any portion of the lands within the plat boundary are subject to an Option to Purchase or other option interest, please include a certificate of consent for the option holder and executed prior to approval sign-off.

54. Per the title report dated February 14, 2023, the 2022 real estate taxes are paid for the subject property. If this plat is recorded in 2024, the taxes for 2023 shall be due in full. Per Section 236.21(3) Wis. Stats. and MGO 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, including property tax bills for the prior year that are distributed at the beginning of the year. Receipts are to be provided on or before sign-off and checks are payable to: City of Madison Treasurer; 210 Martin Luther King, Jr. Blvd.; Madison, Wisconsin 53701

55. Pursuant to MGO Section 16.23(5)(e)1 and Wis. Stats. 236.21(3), all special assessments, including accrued interest in the case of delinquencies, shall be paid by the owner prior to plat approval sign off. Receipts for payment shall be provided to ORES in advance of final plat approval sign-off.

56. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish to the City's Office of Real Estate Services (jfrese@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 (February 14, 2023) 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. Staff reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the plat.

57. Please revise the final plat as follows:

    a. The following document numbers referenced in the second line under Note #8 of the plat are not shown in the title report: 5474970, as modified. Please either remove said note or provide evidence that the documents encumber the subject lands.

    b. Describe the Public Water Easements on Sheet 1 as Public Water Main Easements.

    c. For properties not connected to municipal utility services, consider whether or not well abandonment ref. NR-141 needs to be addressed.

    d. 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. In particular, the 30' private landscaping easement per the prior replat.

    e. Initiate requests to all applicable utilities to record releases of their interests in utility easements in underlying plats or CS's, if this proposed plat is a re-division of existing plats or CSMs with utility easements that will no longer be applicable.

    f. Create notes that define the purpose of and the ownership of (whether public or private) all outlots. The note for an outlot dedicated to the public shall say: "Dedicated to the public for _____ purposes."

    g. 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 by ORES. If the lands within the plat boundary are farmed agricultural lands, the applicant shall enter into a lease with the City for those lands to be dedicated and/or conveyed to the City through plat recording. Please contact a Real Estate Specialist in ORES to discuss the potential lease terms. Said leases are authorized by Resolution 13-00247 (ID 29183), adopted on April 16, 2013.

Appendix A: Tradition Residential–Planned District Requirements

The following excerpts summarize the requirements for residential development in the Traditional Residential-Planned (TR-P) District (Section 28.053) of the Zoning Code:

(1) Statement of Purpose. The TR-P District is established to encourage the development of new traditional neighborhoods in close-in or outlying parts of the City that incorporate the characteristics of existing traditional neighborhoods. Features include a variety of lot sizes and integrated housing types, detached or alley-loaded garages, traditional architectural features such as porches, an interconnected street system and the creation of a high-quality public realm.

A large-scale TR-P development will be designed through a master planning process. Where a TR-P District is developed in conjunction with or in proximity to an existing or planned mixed-use or higher-density district (for example, a Neighborhood Mixed-Use District, Traditional Shopping Street District, or Traditional Residential-Urban District) the TR-P District is also intended to meet the goals of traditional neighborhood development as established by the State of Wisconsin and Dane County. These goals include the following:

a.) Reduce public costs by making more efficient use of infrastructure.
b.) Protect the environment through reduced land consumption, preservation of on-site environmental features, and reduced automobile travel.
c.) Increase public safety and welfare through street design that results in slower driver speeds and reduced accidents, injuries and fatalities.
d.) Promote the reinvestment in existing developed areas.
e.) Foster community through attractive streets and public spaces that create opportunities for encounters and gatherings.

(3) Required Mix of Residential Uses. After the effective date of this ordinance, development sites or projects within the TR-P District that are 10 acres or more in size or that include 50 or more dwelling units shall meet the following standards:

a.) A minimum of 3 residential building types from the following categories shall be included within the site:
    1. Single-family detached dwellings with street-accessed garages.
    2. Single-family detached dwellings with alley-accessed garages.
    3. Two-family and single-family attached buildings.
    4. Accessory dwelling units.
    5. Multi-family dwellings (3 units or more), including senior housing.
    6. Special-needs housing such as community living arrangements and assisted living facilities.
b.) A minimum of ten percent (10%) of the units on the site shall be in two-family, attached or multi-family residential dwelling types.
c.) For infill development, the required mix of residential uses may be satisfied by existing adjacent residential uses within a one-quarter mile radius.
d.) All residential lots shall be located within one-quarter mile of existing or planned public or common open space.

(4) Dimensional Standards, Permitted and Conditional Uses. [See table on page 2 as it applies to this project.]

(5) Site Design Standards.

a.) Open Space. Open space shall be available to the residents of the district for recreational purposes or similar benefit. Land reserved for stormwater management and other required site improvements shall not be applied to this requirement, unless designed as open space that will meet resident needs.

1. Open space shall be designed to meet the needs of residents of the district and the surrounding neighborhoods to the extent practicable for parks, playgrounds, playing fields, and other recreational facilities.
2. A diversity of open spaces shall be provided within the TR-P district, including but not limited to community parks, neighborhood squares and commons, and playgrounds.
3. Open spaces included with the subdivision shall be dispersed throughout the development and walkable from most areas within the subdivision.
4. Land donated for any public purpose, which is accepted by the City, may be credited towards the open space requirement at the discretion of the Common Council.

b.) Street Layout. A TR-P site development plan shall maintain the existing street grid where present and restore the street grid where it has been disrupted. In newly developing areas, streets shall be designed to maximize connectivity, except where environmental or physical constraints make this infeasible. All streets shall terminate at other streets, at public land, or at an environmentally sensitive area, except that local streets may terminate in stub streets when those will be connected to other streets in future phases of the development or adjacent developments.

c.) Street Design. Flexibility in street design may be allowed within a TR-P District in order to create a safe and pleasant environment for residents, emphasizing pedestrian and bicycle circulation.

d.) Non-Residential Uses. Non-residential land uses, including but not limited to schools, places of worship and neighborhood-serving commercial uses located within a subdivision zoned TR-P, shall be designed in a compact fashion and reflect the design of other uses within the master-planned development. Parking for such uses shall be located in the side or rear yards and shall be well screened to preserve the continuity of the public realm.

(6) Submittal Requirements.

a.) After the effective date of this ordinance, a Master Plan shall be required for all TR-P projects that are proposed to be 10 acres or larger in size or those that will include 50 dwelling units or more. All TR-P Master Plans shall include each of the following elements:

1. A map of the proposed development that identifies all of the lots and outlots to be contained in the proposed development and which contains all of the information required for preliminary plats in Sec. 16.23(7)(a), MGO. The map shall identify each of the following items:
   a. The use of each lot or outlot, including any spaces to be dedicated to the public.
   b. The number of dwelling units to be provided on each lot.
   c. The number of floors of all buildings to be constructed on a lot – minimum and maximum.
   d. The orientation of buildings in relation to all streets.
   e. The yards and building setbacks for each developable lot.
   f. Stormwater management, including proposed treatments at the lot, block and subdivision level.

2. A phasing plan for the implementation of the master planned development.
3. Building design standards for the proposed development recorded in the covenants, conditions and restrictions for the subdivision, shall include:
    a. Massing and composition of structures, orientation of windows and entries; doors and other elements of the facade, and primary facade materials and colors.
    b. A process for the application of such building design standards, through an architectural review committee or similar review body.
4. A detailed letter of intent for the project that outlines the specific goals and objectives for the master planned development. Sec. 28.053(6)(b)

b.) Standards for Approval of Master Plans.

1. The proposed TR-P Master Plan shall be consistent with the recommendations of the Comprehensive Plan and any adopted neighborhood plan, including the objectives established for traditional neighborhood development in the Comprehensive Plan.
2. The proposed TR-P Master Plan shall contain a highly connective circulation pattern and shall be conducive to multiple forms of transportation.
3. The proposed master planned development shall include a variety of integrated residential dwelling unit types. Segregation of dwelling unit types shall be avoided.
4. The proposed TR-P Master Plan shall be consistent with the statement of purpose of this section.
5. The TR-P Master Plan shall also comply with all of the requirements for preliminary plats in Section 16.23(5)(c) Madison General Ordinances.

(7) Review Procedures. A Master Plan for a TR-P district will be reviewed as part of the zoning map amendment and subdivision plat.