



PREPARED FOR THE PLAN COMMISSION

Project Address: 5204 N. Sherman Avenue
Application Type: Zoning Map Amendment, Preliminary Plat and Final Plat
Legistar File ID # [41408](#) and [41145](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicant & Property Owner: Dennis Tiziani, Cherokee Park, Inc.; 5000 N. Sherman Avenue; Madison.

Surveyor: Scott Anderson, Snyder & Associates, Inc.; 5010 Voges Road; Madison.

Requested Action: Approval of a request to rezone 5204 N. Sherman Avenue from Temp. A (Agricultural District) to SR-C3 (Suburban Residential–Consistent 3 District) and approval of a preliminary plat and final plat creating 16 single-family lots and 2 outlots for stormwater management and golf club purposes.

Proposal Summary: The applicant is requesting approval of the preliminary plat and final plat of “The Turn at Cherokee”, which will consist of 16 street-loaded single-family lots and 2 outlots to be privately maintained for stormwater management and golf club access. Implementation of the subdivision will begin as soon as all regulatory approvals have been granted, with completion of the subdivision based on market demand for the proposed residential lots.

Applicable Regulations & Standards: Section 28.182 of the Zoning Code provides the process for zoning map amendments. 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 proposed preliminary plat application was submitted to the City on December 9, 2015. Therefore, the 90-day review period for this plat will end circa March 9, 2016.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00219, rezoning 5204 N. Sherman Avenue from Temp. A to SR-C3, and the preliminary plat and final plat of The Turn at Cherokee to the Common Council with recommendations 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: An approximately 6.2-acre parcel located on the west side of N. Sherman Avenue, approximately 1,600 feet north of Wheeler Road and 450 feet north of [private] Golf Parkway; Aldermanic District 18 (Kemble); Waunakee Community School District.

Existing Conditions and Land Use: Undeveloped land, zoned Temp. A (Agricultural District).

Surrounding Land Use and Zoning:

North: Cherokee Country Club in the Town of Westport (“Town”); Cherokee March–North Unit in the City of Madison (“City”), zoned CN (Conservancy District) and in the Town;

South: Cherokee Country Club clubhouse and undeveloped land in the Town; Cherokee Garden Condominium Homes in the City, zoned SR-V2 (Suburban Residential–Varied 2 District);

East: Cherokee March–North Unit in the Town of Burke; Cherokee Country Club tennis courts, zoned A (Agricultural District);

West: Cherokee Country Club and clubhouse located in the Town.

Adopted Land Use Plan: The Cherokee Special Area Plan (2007) identifies the subject site as part of the “Cherokee Country Club” planning sub-area [3], which is recommended for low-density residential uses up to 8 dwelling units per acre, and Cherokee Country Club-related uses, including the clubhouse and a potential sales office. Residential uses in this sub-area are recommended to include attached residential dwellings, twin homes or small multi-family buildings.

Zoning Summary: The following bulk requirements apply in SR-C3 (Suburban Residential-Consistent 3 District):

	Required (Single-Family Detached)	Proposed
Lot Area (sq. ft.)	6,000 sq. ft per lot	All proposed lots will exceed
Lot Width	50’	All proposed lots will exceed
Front yard setback	25’	TBD at permitting
Side yard setback	One story: 5’ / two story: 6’	TBD at permitting
Reverse corner side yard setback	15’	TBD at permitting
Rear yard	Lesser of 30% lot depth or 35’	TBD at permitting
Maximum lot coverage	60%	TBD at permitting
Maximum building height.	2 stories/35’	TBD at permitting
Usable open space (sq. ft. per unit)	750 sq. ft.	TBD at permitting; See Zoning Condition
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	
<i>Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator</i>		

Environmental Corridor Status: The site of the proposed development is currently located within a mapped environmental corridor (see [Map E4](#)). The proposed subdivision will be cleaved from a parcel that contains the eastern portion of Cherokee golf course. Large portions of the golf course west of the subject site are located in the 100-year floodplain and the course is crossed by various mapped drainage channels. However, the corridor map does not identify any environmental features on the site of the proposed subdivision. An amendment to the corridor map approved by the Capital Area Regional Planning Commission to remove the proposed subdivision will be required prior to final approval of the plat for recording.

Public Utilities and Services: The subject site is located in the Central Urban Service Area. Public sewer is available to the site and includes a Madison Metropolitan Sewerage District interceptor at the southern end of the site and a City of Madison main on the east side of N. Sherman Avenue. City water is located approximately

400 feet south of the parcel at the intersection of N. Sherman Avenue and Golf Parkway; extension of the water main north to serve the subject site will be required as a condition of approval of the proposed development. The nearest Metro Transit service includes weekday service south of the site at Wheeler Road and N. Sherman Avenue; weekend service is located further south of the site at N. Sherman Avenue and Delaware Boulevard, which is approximately two-thirds of a mile south of the southern edge of the site.

Project Description

The applicant, Cherokee Park, Inc. is requesting approval of a zoning map amendment and subdivision plat for an undeveloped, approximately 6.2-acre parcel located on the west side of N. Sherman Avenue adjacent to the Cherokee Country Club clubhouse. The proposed subdivision will be platted from an unused portion of a larger parcel in the Town of Westport that contains the golf course and clubhouse. The proposed subdivision calls for 16 single-family lots to be developed in the SR-C3 residential zoning district. The subject parcel was annexed to the City from the Town of Westport on September 1, 2015.

The site is mostly characterized by modest rolling terrain that falls away from a potentially manmade mound located adjacent to N. Sherman Avenue, with the grades on the western half of the property falling toward the golf course, which adjoins the proposed subdivision on the north and northwest. The eastern edge of the site is characterized by line of mature deciduous trees partially located in the N. Sherman right of way. A small asphalt parking area is located off the edge of pavement on N. Sherman Avenue just to the north of the driveway leading to the Cherokee clubhouse, which adjoins the southwesterly edge of the subject site. An undeveloped area sits south of the site between the clubhouse driveway and the Cherokee Garden Condominium Homes located south of (private) Golf Parkway.

The 16 single-family lots proposed will be located on either side of proposed "Niblick Drive," which will extend as a 52-foot wide public right of way through the center of the subdivision. Lots 1–7 will front onto the east side of Niblick Drive, with the side or rear of those lots to abut N. Sherman Avenue, while Lots 8–16 will back onto the golf course. Fourteen of the 16 proposed lots will share approximately 24-foot wide easement driveways as noted on the final plat. The subdivision also includes 2 outlots that will be retained by the subdivider. The southern leg of proposed Niblick Drive will be constructed over the existing clubhouse driveway; access to the clubhouse will be reconstructed over Outlot 1 at the southwestern corner of the plat. Proposed Outlot 2 will be located in the northernmost prow of the plat and is proposed as stormwater management for the subdivision.

All of the proposed lots appear to meet the 50-foot minimum lot width and 6,000 square-foot minimum lot area required for single-family detached dwellings in the requested SR-C3 zoning district, which also allows two-family twin/ duplex and flat-style dwellings. The lot width and area requirements for single-family dwellings in the SR-C3 district are the same as the minimum requirements in the single-family only SR-C2 (Suburban Residential-Consistent 2) zoning district. However, the applicant indicates that the SR-C3 district was requested due to the slightly less restrictive front and side yard setback requirements compared to the SR-C2 district (25 feet versus 30 and 5/6 feet versus 6/7 feet, respectively). Additionally, the applicant has included conceptual layouts and elevations of the future residences to be constructed on the lots for illustrative purposes.

Analysis & Conclusion

In April 2007, the City of Madison entered into an Annexation/ Attachment Agreement and Memorandum of Understanding with Cherokee Park Development, Inc., under which Cherokee and the City agreed to work cooperatively on a series of annexations that would bring most of the Cherokee lands located in the Town of

Westport and Town of Burke into the City over a period of 15 years. The agreement also sets forth various improvements that Cherokee and the City would execute cooperatively in the area over the term of the agreement as various phases of the related Cherokee Special Area Plan were implemented. The plan was adopted in January 2007 to provide detailed land use, development phasing, transportation, and environmental management recommendations for a large area at the northern limits of the City west of Dane County Regional Airport, including the then-643 acres of land owned by Cherokee Park, Inc.

The Cherokee Special Area Plan includes the subject site on the west of N. Sherman Avenue north of Wheeler Road as part of the "Cherokee Country Club" planning sub-area [3]. Activities in sub-area 3 are recommended to include low-density residential uses up to 8 dwelling units per acre consisting of attached residential dwellings, twin homes or small multi-family buildings, and Cherokee Country Club-related uses, including the clubhouse and a potential sales office.

The Planning Division finds both the proposed rezoning and subdivision to be generally consistent with the recommendations of the Cherokee Special Area Plan, and the design standards in the Zoning Code and Subdivision Regulations. The 16 single-family lots and resulting density of 4.43 net units per acre conform to the low-density residential recommendation contained in the plan for the Cherokee Country Club planning sub-area. Although the plan anticipated attached housing types to be developed in this sub-area when it was approved in 2007, staff believes that the proposed single-family homes are consistent with the recommended low-density development pattern and are equally well suited to the unique configuration of the subject site as the other housing types initially envisioned. However, in order to create an appropriate transition between the rear of the residences on Lots 1-8, which will front onto Niblick Drive, and N. Sherman Avenue, staff encourages the applicant to implement a consistent screening and landscaping plan in the rear yards of those properties and to provide for the long-term maintenance of those elements in its subdivision covenants and restrictions.

Recommendation

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

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022-00219, rezoning 5204 N. Sherman Avenue from Temp. A to SR-C3, and the preliminary plat and final plat of The Turn at Cherokee, to the Common Council with recommendations of **approval** subject to input at the public hearing and the following conditions:

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

Planning Division

1. A front building setback line shall be established on the final plat for any proposed lot not 50 feet in width when measured at the 25-foot minimum front yard setback (effectively establishing a deeper front yard line for any such lots).
2. Niblick Drive shall be revised to a 56-foot right of way (28 feet of pavement) as required by MGO Section 16.23(8)(a)8.a.iv.B.

3. Per Section 16.23(8)(d)4, side lot lines shall be as nearly as possible at right angles to straight street lines or radial to curved street lines on which the lots face. Revise the plat to create a consistent common line between the Lots 8 and 9.
4. The final plat shall be revised to clearly identify the use of the proposed outlots. If either outlot is to be maintained by a private association for the benefit of the subdivision, the applicant shall submit agreements, bylaws, provisions or covenants that govern the organizational structure, use, maintenance and continued protection of the development and any of its common services, common open areas or other facilities for approval by the Director of the Department of Planning and Community and Economic Development and the City Attorney prior to final approval of the plat for recording [MGO Section 16.23(3)(a)5.].
5. That prior to final approval and recording of the final plat of The Turn at Cherokee, the applicant work with the Planning Division and Capital Area Regional Planning Commission to revise the environmental corridor map to remove the proposed subdivision.
6. To reflect the letter of intent, a note shall be included on the face of the final plat prior to recording that states that the use of Lots 1-16 is restricted to single-family detached residences.

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

City Engineering Division (Contact Brenda Stanley, 261-9127)

7. The applicant shall dedicate a storm sewer easement to the public for the pipe leaving the pond and discharging to the drainage system to the north. This easement shall extend to the point where it intersects with existing easement shown on Document No. 1154659.
8. Outlot 2 should be designated as environmental corridor on the plat so that it is not subject to MMSD sewer connection fees.
9. The applicant is made aware that City Engineering shall design the storm sewer system for this development and this shall require off-site work to allow the drainage system on N. Sherman Avenue to be tied into this system.
10. The applicant shall provide a digital copy of the wetland delineation file containing both graphics and text.
11. The developer shall coordinate all construction activity with the City street reconstruction project on N. Sherman Avenue.
12. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
13. 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 2 working days prior to requesting City Engineering signoff.

14. This subdivision contains or is adjacent to facilities of MMSD. Prior to approval, applicant shall provide evidence that MMSD has reviewed and approved the proposed subdivision.
15. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.
16. The applicant shall dedicate a 20-foot wide sanitary sewer easement in Outlot 1 as a condition of plan approval.
17. Proposed Outlot 1 appears to be a joint private street. The owner acknowledges this outlot shall be subject to stormwater utility charges and MMSD sewer connection charges.
18. This project falls in the Rock River TMDL Zone and is subject to increased erosion control enforcement as authorized by Resolution 14-00043 passed by the Common Council on January 21, 2014. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the Wisconsin Department Natural Resources (WDNR).
19. Add the following note to plans: "Contractor shall notify Ray Schneider (608)347-3628, rays@madsewer.org, 5 days prior to making the connection to the MMSD manhole to arrange for inspection of the connection. Sewer connection shall conform to all MMSD connection specification criteria. Contractor is responsible for taking out the MMSD connection permit as well as the permit connection fee (\$950.00, 2015 rate) if applicable."
20. The developer shall enter into a City/Developer agreement for the installation of public improvements required to serve this plat/ CSM. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this plat without the agreement executed by the developer. [Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.]
21. The applicant shall 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). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: a) Building Footprints; b) Internal Walkway Areas; c) Internal Site Parking Areas; d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); e) Right-of-Way lines (public and private); f) Lot lines or parcel lines if unplatted; g) Lot numbers or the words unplatted; h) Lot/Plat dimensions; i) Street names; j) Stormwater Management Facilities; k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
22. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including SLAMM DAT files, RECARGA files, TR-55/HYDROCAD/Etc., and Sediment loading calculations. 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).
23. If construction dewatering is anticipated the application shall address this on the stormwater/ erosion control plan that is submitted for approval to City Engineering.

24. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the 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.
25. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the Wisconsin Department of Natural Resources (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 Water Resources Application for Project Permits (WRAPP) or Notice of Intent Permit (NOI) process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement.
26. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to: detain the 2-, 10- and 100-year storm events, matching post development rates to predevelopment rates; control 80% TSS (5 micron particle) off of new paved surfaces compared to no controls; provide infiltration in accordance with Chapter 37 of Madison General Ordinances, 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 MGO.
27. The developer shall construct Madison standard street and sidewalk improvements for all streets within the plat.
28. The developer shall note that AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat.
29. The developer shall confirm that adequate sight distance exists on N. Sherman Avenue, 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.
30. The right of way width on Niblick Drive shall be 56 feet.
31. 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.
32. A minimum of 2 working days prior to requesting City Engineering signoff on the plat, the applicant shall contact Tim Troester (267-1995) to obtain the final stormwater utility charges that are due and payable prior to subdivision of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
33. The following notes shall be included on the final plat:
 - a.) All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements

shall be 12-feet in width on the perimeter of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

- b.) The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.

NOTE: In the event of a City of Madison Plan Commission and/or Common Council approved re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.

Information to Surveyor's: In addition to notes such as this, WI State Plat Review enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail.

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

34. The open space easement to the City of Madison per Document Nos. 1511947 and 1132851 partially overlies a portion of this development's west side. The developer shall be aware that this development is subject to the restrictions of the Open Space Easement that lie within said easement, including the prohibition of construction of building and grading within the easement without City of Madison approval.
35. The portion of Lot 1 of CSM 2225 included in this plat is subject to the Declaration of Stormwater Easement per Document No. 4725520. At a minimum, the portion lying within the public right of way of Niblick Drive and Lot 1 shall be released by separate instrument prior to plat recording. Outlot 1 is to remain subject to the easement, a note shall be added that the outlot is subject to the easement.
36. The plat shall dedicate the portion of N. Sherman Avenue lying south of this development that was annexed to the City of Madison on September 1, 2015 (see Document No. 5185112).
37. The plat will remove frontage along N. Sherman Ave for the clubhouse. The clubhouse address will need to be changed to a Cherokee Club Lane address. Suggested address is 5101 Cherokee Club Lane as that will be the address when annexed in 2022.
38. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering

requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The Applicant shall identify monument types on all PLS corners included on the Plat. Note: Land tie to two PLS corners required.

39. The plat requires new Public Sanitary Sewer and Storm Sewer easements to be granted on the face of the subdivision. Contact Engineering (Jeff Quamme-jrquamme@cityofmadison.com) to receive the appropriate easement terms/conditions language for inclusion on this plat.
40. A private common storm water drainage and storm sewer easement shall be provided for the proposed storm sewer and drainage along the east side of proposed Lots 1–7. The easement language shall include the party(s) benefitting from the easement and rights and responsibilities of the beneficiaries for the construction and maintenance of the facilities.
41. There is a storm water drainage way proposed to be graded along the westerly/northwesterly sides of Lots 9 –16. This grading requires approval by the City of Madison per Document Nos. 1511949 and 1132851, which will be provided by a final grading plan approval for this development. Also a private drainage easement encompassing the drainage way shall be granted by the plat over said Lots 9–16. The easement language shall include rights and responsibilities of the beneficiaries for the construction and maintenance of the drainage facilities.
42. A Private Storm Sewer Easement shall be provided for the portion of the existing private storm sewer exiting from the Golf Club that crosses Outlot 1. The remainder of the Storm Sewer lying north of Outlot 1 shall become or be reconstructed as public storm sewer. A Public Storm Sewer Easement shall be provided along the south side of Lot 1, 10 feet each side of the center of the pipe, for this storm sewer unless this storm sewer is realigned as part of the development of this project and is adequately within the public right of way.
43. Access to N. Sherman Avenue shall also be prohibited from Lot 16.
44. Provide beneficiaries and language for construction and maintenance for the Private Common Driveway Easements shown on the final plat. They shall be re-labeled as Private Common Driveway Easements.
45. Outlot 1 shall provide a private access easement for the benefit of the Country Club access over Outlot 1 to proposed Niblick Drive.
46. The proposed uses of Outlots 1 and 2 shall be noted.
47. Add Document No. 1132851 to the Open Space Easement noted per Document No. 1511947. Also correct the Document No. on the plats for Document No. 1511947 (incorrect on the plat as 1511949).
48. The record City of Madison Coordinates shown on the plat do not match those of record per City of Madison Master Control Data. Revise to show the record coordinates per City Control Data. Also correct the north arrow orientation on the final plat.
49. Provide a recorded as distance along the most northerly line and along the west line of the plat boundary as per the annexation of the lands as per Document No. 5185112.
50. Provide dimensions locating the position of the MMSD Sanitary Sewer Easement per Document No. 1275722 within Lot 1 and Outlot 1.

51. Provide dimensions locating the Electric Easement per Document No 1275722 on Lots 14–16 and Outlot 2. Clarify if the easement is to be terminated in the future.
52. Remove drainage arrow note under the legend. The stormwater management plan that will be required to be on file per note 3 shall address drainage requirements for the plat.
53. Provide "recorded as" data of CSM 2225 on the boundary of the plat where appropriate.
54. Dimension the limits of the existing Open Space Easement on each lot and outlot burdened by the easement.
55. The final plat shall be updated to show the street names Cherokee Club Lane for the section of street from N. Sherman Avenue to a point in the curve after the entrance to the clubhouse; the remainder of the street is to be named Niblick Drive.
56. There is proposed storm sewer shown crossing the southeast corner of Lot 16. If this location is not modified with final public utility plans, a Public Storm Sewer Easement will be required over the southeast corner of Lot 16.
57. In accordance with Section s.236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone 1997 Coordinates on all PLS corners on the plat in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. The City has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City Engineering Division website for current tie sheets and control data (http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html). If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact the City Engineering Division for this information.
58. In accordance with Section s.236.20(2)(c)&(f), Wisconsin Statutes, the applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements which are being conveyed by the plat. Identify the owner and/or benefiting interest of all easements.

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

59. The applicant shall dedicate sufficient right of way to allow for a standard intersection radius where Niblick Drive intersects N. Sherman Avenue.
60. The applicant shall revise the final plat to show a vehicular access restriction to Niblick Drive at the following locations:
 - a.) Along Lot 1 from N. Sherman Avenue to a point 30 feet west of N. Sherman Avenue;
 - b.) Along Lot 7 from N. Sherman Avenue to a point 30 feet west of N. Sherman Avenue;
 - c.) Along Lot 16 from N. Sherman Avenue to a point 30' west of N. Sherman Avenue.

61. The applicant shall submit one contiguous plan for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
62. The developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City-owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
63. Utility easements shall be provided on the final plat as required by the City Traffic Engineer. The applicant shall show a detail drawing of the 12-foot utility easement dimensions and lot lines on the face of the final plat along the southerly 10 feet of Lot 1; southerly 10 feet of Lot 7, and; between Lots 9 and 10.
64. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

65. A two-family two unit and a two-family twin are permitted uses within the SR-C3 zoning district. Note that no two-family twin dwelling shall be constructed or converted within 300 feet of a zoning lot containing another two-family twin building, as measured from the perimeter of each zoning lot, unless approved by conditional use.
66. Identify qualifying usable open space areas as required in the requested SR-C3 zoning district, specifically Lots 3, 6, and 11. The minimum amount of useable open space required is 750 square feet. 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.
67. Driveways may be shared between two single- or two-family lots, provided that appropriate easements or other agreements are established. Shared driveways shall meet the minimum and maximum width requirements of Section 28.141(9).
68. The approval of the requested rezoning and subdivision does not grant approval for the placement or location of individual residences. Individual lots and residences will be reviewed for compliance with setback, open space, lot coverage and other Chapter 28 Zoning Code requirements prior to issuance of building permits.

Fire Department (Contact Bill Sullivan, 261-9658)

69. 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)."
70. All portions of the exterior walls of newly constructed one- and two-family dwellings shall be within 500 feet of at least one fire hydrant. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO Section 34.507 for additional information.

Water Utility (Contact Dennis Cawley, 261-9243)

71. All public water mains and water service laterals shall be installed by a standard City of Madison Subdivision Contract. The Water Utility will not need to sign off the final plans, but will need a copy of the approved plans.
72. All operating private wells shall be identified and permitted by the Madison Water Utility and all unused private wells shall be abandoned in accordance with MGO Sec. 13.21.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency submitted a response with no comments or conditions for this request.

Parks Division (Contact Janet Schmidt, 261-9688)

73. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. The developer must select a method for payment of park fees before signoff on the final plat. This development is within the Warner park impact fee district. Please reference ID# 16103 when contacting Parks Division staff about this project. The Parks Division will be required to sign off on the final plat.
74. Outlot 1 shall be modified to show the designation to state it is being dedicated to the public for stormwater purposes. This outlot shall not be dedicated for public park purposes.
75. The following note shall be included on the plat: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."
76. 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.
77. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

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

78. Prior to approval sign-off, the Owner's Certificate(s) on the final plat shall be executed by all parties having an interest in the property, pursuant to Wis. Stats. 236.21(2)(a). 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. The executed original hard stock recordable plat shall be presented at the time of sign-off.
79. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to 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.
80. As of January 13, 2016, there are no special assessments owed for the subject property. If any assessments are levied between this date and the requested sign-off date, the owner shall provide payoff receipts from the City Treasurer to the City's Real Estate Section; pursuant to MGO Section 16.23(5)(e)1 and Wis. Stats. 236.21(3).
81. Please coordinate with Tim Troester (267-1995) or Brenda Stanley (261-9127) in the City Engineering Division to obtain any outstanding storm water management fees from the City of Madison Water Utility. Receipts for the payment of the prorated fee shall be presented prior to plat approval sign-off.
82. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish to the City's Office of Real Estate Services, as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (November 12, 2015) and the date when sign-off of the final plat is requested. The surveyor shall prepare the final plat with the most recent information available in the title report update.
83. The following revisions shall be made to the final plat prior to final approval for recording:
 - a.) Correct typo on existing open space easement, which should be Document No. 1511947.
 - b.) Depict, name, and identify by document number on the proposed plat all existing easements cited in record title.
 - c.) Insert all necessary certificates required for approval and sign-off. The title and narrative of each certificate shall be prepared consistent with the interest involved and consistent with record title: ownership (sole proprietorship, corporate, limited liability company, limited liability partnership, etc.) mortgage, tenancy, public body, etc.
 - d.) Create and record, or show as being dedicated in the proposed plat, easements for utility and drainage rights of way when the utility or drainage physically exists, but no document for it exists in record title.
 - e.) Provide proof of satisfaction or release for all judgments of record prior to plat sign-off.
 - 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."