



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 503 Schewe Road  
**Application Type:** Final Plat  
**Legistar File ID #** [41543](#)  
**Prepared By:** Timothy M. Parks, Planning Division  
Report includes comments from other City agencies, as noted

## Summary

**Applicant & Property Owner:** Alex McKenzie, TR McKenzie, Inc.; 1910 Hawks Ridge Drive, Suite 322; Madison.

**Surveyor:** Will Kottler, Mead & Hunt, Inc.; 2440 Deming Way; Middleton.

**Requested Actions:** Approval of a final plat to create 45 single-family lots and 1 outlot for public stormwater management purposes at 503 Schewe Road.

**Proposal Summary:** The applicant is requesting approval of the final plat of "The Willows II", which will consist of 45 street-loaded single-family lots and 1 outlot to be dedicated to the City for stormwater management. Implementation of the subdivision will begin in 2016 following approval and recording of a final plat, with completion of subdivision improvements based on market demand for the proposed residential lots.

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

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

**Review Schedule:** The State's subdivision statute, Wis. Stats. 236, requires that a final plat that conforms substantially to the approved preliminary plat be approved, conditionally approved, or rejected (with stated reasons) within 60 days of submittal unless the time is extended by agreement with the applicant. If no action is taken within 60 days and no extension granted, the plat is deemed approved. The final plat application was submitted to the City on January 20, 2016. Therefore, the 60-day review period for this plat will end circa March 20, 2016.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission forward the final plat of The Willows II subdivision located at 503 Schewe Road to the Common Council with a recommendation of **approval** subject to input at the public hearing and the conditions from reviewing agencies beginning on page 3 of this report.

## Background Information

**Parcel Location:** A 17.3-acre parcel located on the east side of Schewe Road approximately 700 feet north of Elderberry Road; Aldermanic District 9 (Skidmore); Middleton-Cross Plains Area School District.

**Existing Conditions and Land Use:** Undeveloped land, zoned SR-C1 (Suburban Residential-Consistent 1 District).

**Surrounding Land Use and Zoning:**

North: Undeveloped land in the Town of Middleton (“Town”); Middleton Community Church in the City (“City”), zoned A (Agricultural District)

South: Future single-family residences in the Autumn Ridge Reserve subdivision in the City, zoned TR-C1 (Traditional Residential–Consistent 2 District);

East: Future single-family residences in The Willows subdivision in the City, zoned SR-C1 (Suburban Residential–Consistent 1 District);

West: Undeveloped agricultural land in the Town.

**Adopted Land Use Plan:** The [Elderberry Neighborhood Development Plan](#) identifies the subject site for low-density residential uses up to 8 units an acre with the exception of a greenway proposed to parallel Schewe Road, which is recommended for park, drainage and open space uses.

**Zoning Summary:** The following bulk requirements apply in SR-C1 (Suburban Residential-Consistent 1 District):

	<b>Required</b>	<b>Proposed</b>
Lot Area (sq. ft.)	8,000 sq. ft per lot	All proposed lots will exceed
Lot Width	60’	All proposed lots will exceed
Front yard setback	30’	TBD at permitting
Side yard setback	One story: 6’ / two story: 7’	TBD at permitting
Rear yard	Lesser of 30% lot depth or 35’	TBD at permitting
Maximum lot coverage	50%	TBD at permitting
Maximum building height.	2 stories/35’	TBD at permitting
Usable open space (sq. ft. per unit)	1,300	TBD at permitting; See Zoning Condition
<b>Other Critical Zoning Items</b>		
Yes:	Utility Easements (to be established with final plat)	
No:	Urban Design, Wellhead Protection, Floodplain, Landmarks, Waterfront Development, Adjacent to Parkland	
<i>Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator</i>		

**Environmental Corridor Status:** The greenway paralleling Schewe Road that will be dedicated to the City for stormwater management for this subdivision is located within a mapped environmental corridor (see Map A8).

**Public Utilities and Services:** The site will be served by a full range of urban services as it develops with the exception of Metro Transit, which does not currently provide service west of Pleasant View Road. The proposed development is also outside Metro Transit's paratransit service area. The closest bus stop with scheduled bus service is over 1.5 miles walking distance, and the units would be greater than the three-quarter mile regulatory distance from all day scheduled service for passengers who might be eligible for door-to-door paratransit service.

**Previous Approvals**

The subject parcel was attached to the City of Madison from the Town of Middleton on March 17, 2015.

On January 5, 3026, the Common Council conditionally approved the rezoning of the subject site to the SR-C1 (Suburban Residential-Consistent 1) zoning district and the preliminary plat of “The Willows II” to facilitate

subdivision of the site into 45 single-family lots and 1 outlot for public stormwater management purposes subject to final plat approval.

## **Project Description, Analysis & Conclusion**

The applicant is requesting approval of the final plat of “The Willows II” subdivision to create 45 single-family lots from an undeveloped, approximately 17.3-acre parcel located on the east side of Schewe Road, approximately 700 feet north of Elderberry Road in the western half of the Elderberry neighborhood. The proposed lots will be developed in the SR-C1 (Suburban Residential-Consistent 1 District) zoning district. The Willows II subdivision represents the westward expansion of a single-family subdivision currently being developed by the applicant, which was approved by the Plan Commission and Common Council and recorded in 2015.

Primary access to The Willows II subdivision will be provided by the extension of White Fox Lane into the subject site from Schewe Road. In accordance with a condition of the approved preliminary plat, the final plat calls for White Fox Lane to be 70 feet wide per a recommendation in the Elderberry Neighborhood Development Plan that an east-west collector street be extended midway between Elderberry and Old Sauk roads. Circulation through the subdivision is otherwise provided by the extension of streets platted with the first phase of The Willows subdivision to the northeast of the site and with the Autumn Ridge Reserve to the south, with “Shining Willow Street” proposed to extend east-west across the subdivision and provide either direct or secondary access to 18 of the 45 proposed lots.

The extension of Burnt Sienna Drive through The Willows II continues implementation of a street plan in this portion of the Elderberry neighborhood first implemented with the adjacent Autumn Ridge Reserve plat, which calls for the eventual discontinuance of Schewe Road in favor of a series of local streets to provide north-south vehicular circulation, including through the subject site. As Schewe Road is gradually phased out, the right of way will be converted to a public greenway that will contain a future north-south multi-purpose path through this portion of the Elderberry neighborhood as well as stormwater management for this plat and regional stormwater conveyance, which is reflected by Outlot 1 of the subject final plat.

Staff believes that the final plat of The Willows II conforms substantially to the preliminary plat as conditionally approved, which was found to be consistent with the land use and circulation recommendations of the Elderberry Neighborhood Development Plan as well as a continuation of the development pattern that has emerged gradually from east to west across the Elderberry neighborhood over the last 10 years. The streets in the proposed Willows II will also continue implementation of the street network developed by City staff for this portion of the neighborhood to eventually replace Schewe Road with a network of streets that provide comparable or better connectivity while minimizing the potential for environmental damage to the greenway compared to the original 2002 street plan for this area.

As part of the review of the preliminary plat, staff recommended that the final plat include a minimum 20-foot wide extension of Outlot 1 to Burnt Sienna Drive to allow for a neighborhood connection to the future north-south multi-purpose path proposed parallel to current Schewe Road. In satisfaction of this condition, the applicant proposes to dedicate the connection along the north side of Lot 22. During the preliminary plat review, staff encouraged the connection be located as close to Shining Willow Street as possible to create an east-west corridor through the subdivision while preserving the opportunity for a similar connection west of Schewe Road once development occurs further west. Accordingly, staff requests that the final plat be revised to show the connection to Outlot 1 along the south side of Lot 22, which staff feels will better facilitate the desired east-west

corridor through the subdivision. As part of the construction of subdivision improvements for this plat, the path connection will be graded and gravel base installed to accommodate a 10-foot wide path connection into the plat.

## Recommendation

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

The Planning Division recommends that the Plan Commission forward the final plat of The Willows II subdivision located at 503 Schewe Road to the Common Council with a recommendation 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. That the 20-foot extension to Burnt Sienna Drive from Outlot 1 be revised to be located along the southern edge of Lot 22 (adjacent to Lot 21 instead of Lot 23). This path connection shall be graded and gravel base installed during the construction of the stormwater management features of the subdivision to accommodate a 10-foot wide path connection into the neighborhood.
2. That prior to final approval and recording of the final plat of The Willows II, the applicant work with the Planning Division and Capital Area Regional Planning Commission to revise the environmental corridor map to reflect the proposed minor changes to the north-south drainage corridor reflected by proposed Outlot 1.

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

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

3. A portion of this property appears to drain to the Lower Badger Mill Creek watershed. As a result, any lands draining to this area are subject to the Lower Badger Mill Creek Impact Fee District. Charges for which shall be collected prior to allowing development (building). A note to this affect shall be recorded on the plat.
4. Portions of this plat appear to drain north to an enclosed depression. Discharge requirements for this watershed are very specific and limiting. A SWMP shall be created for any lands discharging in this direction to show how those requirements are being met.
5. Lots 20 thru 27 comprise a portion of the present natural drainageway. These lots cannot be developed until existing Schewe Road within Outlot 1 is removed and the drainageway reconstructed further west.
6. A Phase 1 environmental site assessment (Phase 1 ESA), compliant with ASTM E1527-13, is required for the project area (due to the dedicated stormwater outlet). The applicant shall provide 1 digital copy and a paper copy only if specifically requested. Staff review of this Phase 1 ESA will determine if a Phase 2 ESA is also required. Please submit report(s) to Brynn Bemis (267-1986, bbemis@cityofmadison.com) for review.

7. The developer shall demolish existing Schewe Road and restore as required by City Engineer at the time Burnt Sienna Drive and White Fox Lane are built and when Burnt Sienna Drive and Elderberry Road are improved in the Autumn Ridge Reserve plat.
8. The developer shall construct a north-south pedestrian/bike path along the western edge of plat limits within Outlot 1, configured with the new drainageway.
9. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
10. 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.
11. 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.]
12. 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).
13. 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).
14. 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 substantial thermal control; provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event; 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.
15. 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.

16. 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).

17. 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.

18. Prior to the issuance of building permits, the developer shall submit a master stormwater drainage plan to the City Engineering Division for review and approval which shows lot corner elevations to the nearest 0.25-foot. For purposes of the plan, it shall be assumed that grading shall be done on a straight-line grade between points unless other information is provided. The proposed slope between points shall always be greater than or equal to .0075 ft/ft. If a break in grade is required between lot corners a shot shall be taken at that break in grade to provide the Engineer with enough information to interpret the plan. The developer shall also show proposed drainage arrows on the plan to indicate the proposed direction of drainage.

The master storm water drainage plan shall be submitted to City Engineering in digital format with elevations/grades/contours shown on the recorded plat map of the development. The digital record shall be provided using the state plane coordinate system – NAD 27. Note: It is required that this plan shall be stamped by and Registered Land Surveyor.

The following note shall accompany the master stormwater drainage plan: "For purposes of this plan, it is assumed that grading shall be a straight-line grade between points unless otherwise indicated. All slopes shall be 0.75% or steeper. Grade breaks between lot corners are shown by elevation or through the use of drainage arrows. No building permits shall be issued prior to the City Engineering Division's approval of this plan."

19. 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.
20. Property lines at intersections shall be rounded with a 25-foot radius on Burnt Sienna Drive.
21. The developer shall construct Madison standard street and sidewalk improvements for all streets within the plat.
22. The developer shall make improvements to Schewe Road west of White Fox Lane beyond the plat limits to facilitate ingress and egress to the plat.
23. The developer shall note that AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat.
24. The developer shall confirm that adequate sight distance exists where public streets intersect. If adequate sight distance does not exist, the developer shall change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make other mitigating improvements as required by the City.

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

25. 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.
26. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe PDF format. The digital CADD file shall be submitted in the WisDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

\*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.

\*New electronic final plat transmittals and notification of changes which occur to the final plat during the time the Engineering Division signs off and receives the digital copies of said plat and the recording thereof, are the responsibility of the Developer/Surveyor.

27. Show and label the Existing 49.5 foot Schewe Road right of way per Page 169 of the County Highway Book of the Town of Middleton. Also label the existing 66-foot right of way of Schewe Road per CSM 6407. Also under both notes add "See Note 6 on Sheet 2 regarding future right of way discontinuance."
28. The applicant shall provide a legal description and map exhibit of both Public Highway Easements within Outlot 1 to Jeff Quamme of Engineering Mapping (266-4097) for use in the future resolution to discontinue the Portion of Schewe Road within Outlot 1.
29. The Building Setback Line shown on CSM 6407 along Schewe Road shall be released by a separate document drafted by the City of Madison Office of Real Estate Services prior to the sign off by engineering on the final plat. Coordinate the release with Jeff Quamme of the City Engineering Mapping Section.
30. The subdivision requires new public sanitary sewer, and bike pedestrian path easements to be granted on the face of the plat. Contact Engineering (Jeff Quamme, jrquamme@cityofmadison.com) to receive the appropriate easement terms/conditions language for inclusion on the final plat.
31. Show "recorded as" information along the exterior boundary of the plat.
32. The access easement per Document No. 2446529 shall be released prior to the recording of the final plat. Upon the release, the note regarding the easement shall be removed from the plat.
33. Updated title information shall be provided prior to final sign off. The ownership per previous title information is different than what is shown in the Owner's Certificate.
34. Label the Public Storm Sewer Easement over Lots 38 and 40-42 on the face of the plat.
35. Remove the sanitary sewer, water main and storm sewer shown in the adjacent public right of ways of Big Stone Trail and Burnt Sienna Drive.
36. The south line of Lot 6 per the plat of Autumn Ridge Reserve should have a dimension of 144.66 and not 144.00. Also the 60.00 dimension at the end of Big Stone Trail is incorrect. Provide overall block distances as required.

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

37. A declaration of conditions and covenant for streetlights and traffic signals shall be executed and returned prior to signoff of the final plat. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.



38. 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.
39. 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)

40. Identify qualifying usable open space areas as required in the SR-C1 zoning district. A minimum of 1,300 square feet of usable open space is required for each lot. 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, and shall not include areas occupied by buildings, driveways, drive aisles, off-street parking, paving and sidewalks, except that paved paths no wider than 5 feet, and pervious pavement may be included as usable open space.

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

41. Provide the following information to the buyer of each individual lot: "The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e)."

**Water Utility** (Contact Dennis Cawley, 261-9243)

42. 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.
43. 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 conditions for this request.

**Parks Division** (Contact Janet Schmidt, 261-9688)

44. The final plat contemplates 45 single family lots. 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 in this subdivision. The developer must select a method for payment of park fees before signoff on the final plat. This development is within the Far West park impact fee district (SI30). Please reference ID# 15160 when contacting Parks Division staff about this project.

45. 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."

46. 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.

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

47. 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 4, 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. Insert all necessary certificates required for the final plat. The title and narrative of each certificate shall be prepared consistent with the interest involved and consistent with record title.

48. The final plat shall be revised prior to sign-off as follows:

- a.) The parcel number under Title Report Description of Property has been retired. It is now 251-0708-212-0105-4.
- b.) Correct the spelling of 'Mary' in the Corporate Owner's signature block.