



PREPARED FOR THE PLAN COMMISSION

Project Address: 754-904 Felland Road
Application Type: Zoning Map Amendment, Revised Preliminary Plat and Final Plat
Legistar File ID # [62139](#) and [61674](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted
Reviewed By: Kevin Firchow, Planning Division

Summary

Applicant & Property Owner: Lindsay Hagens, Simply Homes, LLC; 5117 Butterfield Drive; Madison.

Contact Person: Ryan Quam, Quam Engineering, LLC; 4604 Siggelkow Road, Suite A; McFarland.

Surveyor: Noa Prieve, Williamson Surveying and Associates, LLC; 104A W. Main Street; Waunakee.

Requested Actions: Approval of a request to rezone land generally addressed as 754-904 Felland Road from SR-C1 (Suburban Residential–Consistent 1 District), SR-C3 (Suburban Residential–Consistent 3 District), SR-V2 (Suburban Residential–Varied 2 District) and TR-U1 (Traditional Residential–Urban 1 District) to SR-C1, SR-C3, and TR-U1, and approval of the revised preliminary plat and final plat of *Jannah Village*, creating 48 lots for single-family detached residences, four lots for two-family twin homes, and four lots to be developed with multi-family housing, one outlot to be dedicated for a public park, and two outlots to be dedicated to the public for stormwater management.

Proposal Summary: The applicant is requesting approval of the “Jannah Village” subdivision, which will include 48 single-family lots in SR-C1 zoning; four lots to be developed with two-family twin homes (8 units) in SR-C3 zoning; four lots to be developed with a total of 306 multi-family dwelling units in TR-U1 zoning. The subdivision also proposes dedication of an approximately 4.78-acre public park and two outlots to be dedicated to the public for stormwater management. Development of the subdivision will commence in May 2021 following recording of the final plat, with completion of the subdivision to occur in phases based on market demand for the 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. Submittal of separate subsequent applications to the Plan Commission for conditional use approval of residential building complexes and dwelling types not meeting dispersion requirements will be required following recording of the final plat and prior to issuance of building permits.

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 was accepted for review on July 29, 2020. Therefore, the 90-day review period for the preliminary plat is scheduled to expire circa October 29, 2020.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00470, 28.022–00471, and 28.022–00472, rezoning 754-904 Felland Road from A to SR-

C1, SR-C3, and TR-U1, the revised preliminary plat and final plat of the *Jannah Village* subdivision to the Common Council with recommendations of **approval** 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 site contains approximately 43.67 acres of land located on the west side of Felland Road, approximately 400 feet north of Commercial Avenue (CTH T); Aldermanic District 3 (Lemmer); Sun Prairie Area School District.

Existing Conditions and Land Use: Undeveloped land, zoned SR-C1 (Suburban Residential–Consistent 1 District), SR-C3 (Suburban Residential–Consistent 3 District), SR-V2 (Suburban Residential–Varied 2 District) and TR-U1 (Traditional Residential–Urban 1 District).

Surrounding Land Uses and Zoning:

North: Single-family residences in the Bridle Downs subdivision and undeveloped land in the Town of Burke; City of Madison Water Utility reservoir;

South: Affordable Self-Storage, Proscapes Landscaping Contractors, and multi-tenant commercial buildings along Commercial Avenue in the Town of Burke;

West: Undeveloped land in the Town of Burke; Interstate 39-90-94;

East: Single-family residences on the east side of Felland Road in the Town of Burke; undeveloped land in the City of Madison, zoned A (Agricultural District).

Adopted Land Use Plans: The 2018 Comprehensive Plan recommends that most of the site be developed with Low-Medium Residential uses, except for the southernmost edge of the site, which is recommended for development with Medium Residential uses, and for Low Residential uses adjacent to the Bridle Downs subdivision adjacent to the northernmost edge of the plat.

The subject site is located within the boundaries of the [Northeast Neighborhoods Development Plan](#) adopted in 2009. Beginning along the southern edge of the site, the plan recommends the development of the property with medium-density residential uses in Housing Mix 3 with the potential for mixed-use development possible along the Felland Road frontage. The center of the site is generally recommended for low- to medium-density residential development in Housing Mix 2 centered on a neighborhood park. The northern edge of the site adjacent to the Bridle Downs town subdivision is recommended for development with low-density residential uses in Housing Mix 1. The low point of the property is recommended for other open space and stormwater management.

In addition to the land use, transportation, and development phasing recommendations that are customarily a part of each neighborhood development plan adopted by the City of Madison, the [Northeast Neighborhoods Development Plan](#) includes a series of sustainability goals to implemented as development within the plan boundaries occurs. Those goals include enhanced stormwater management practices; reducing water usage; efficient delivery of public services; reducing vehicle miles traveled; and reducing energy consumption by projects within the planning area.

Environmental Corridor Status: The property is located in the Central Urban Service Area. The environmental corridor map includes the planned park and stormwater management polygons recommended by the neighborhood development plan.

Public Utilities and Services: The site will be served by a full range of urban services as it develops.

However, Metro Transit submitted the following comments: “The proposed development is outside Metro Transit’s service area. The closest bus stop with scheduled bus service is just over one and a half (1.5) miles walking distance, and the property would be greater than the three-quarters of a mile regulatory distance from all-day scheduled bus service, which disqualifies any trips in this subdivision for passengers who might otherwise be eligible for door-to-door paratransit service. The pedestrian access between this site and the scheduled bus service, located on N. Thompson Drive at Commercial Avenue, includes at least one mile of travel along the unimproved shoulder of Commercial Avenue/ CTH T (posted 55 mph).”

Zoning Summary: The proposed lots will be zoned SR-C1 (Suburban Residential–Consistent 1 District), SR-C3 (Suburban Residential–Consistent 3 District), and TR-U1 (Traditional Residential–Urban 1 District) with this request. Please refer to the **Appendix A** at the end of this report (page 20) for a review of the proposed lots against the requirements of those districts and the general requirements for future multi-family development.

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>	

Previous Approvals

On July 24, 2018, the Common Council approved a request to rezone land generally addressed as 754-904 Felland Road from A (Agricultural District) to SR-C1 (Suburban Residential–Consistent 1 District), SR-C3 (Suburban Residential–Consistent 3 District), SR-V2 (Suburban Residential–Varied 2 District) and TR-U1 (Traditional Residential–Urban 1 District), and approval of the preliminary plat of *Jannah Village*, creating 49 lots for future single-family detached residences, four lots for two-family twin homes, four lots for future four-unit townhouses, two lots to be developed with multi-family housing, one outlot to be dedicated for a public park, and two outlots to be dedicated to the public for stormwater management. [See File ID [51770](#) for more information.]

On March 5, 2019, the Common Council approved the final plat of *Jannah Village*, creating 49 lots for single-family detached residences, four lots for two-family twin homes, four lots for future four-unit townhouses, two lots to be developed with multi-family housing, one outlot to be dedicated for a public park, and two outlots to be dedicated to the public for stormwater management. The approved final plat was not recorded within the 12 months required under State statute.

Project Description

The applicant is seeking approval of three zoning map amendments and a revised preliminary plat and final plat to allow development of three undeveloped parcels located at 754, 804 and 904 Felland Road with the “Jannah Village” subdivision. The 43.67-acre subject site is located on the west side of Felland Road, approximately 400 feet north of Commercial Avenue (CTH T). The three parcels are in active tillage, with no significant vegetation

present. The northern edge of the site abuts the Bridle Downs subdivision in the Town of Burke, which was platted in 1963 and contains 18 single-family residences. The subject site is characterized by a modest slope from the northern and western property lines towards a low spot in the southeastern corner.

The Jannah Village subdivision will include:

- Forty-eight (48) single-family lots to be developed in SR-C1 zoning on the northern third of the subject site. The majority of single-family lots proposed will be located on both sides of “Divine Street,” an east-west local street that will extend from Felland Road west across the subdivision. Additionally, the applicant proposes to plat seven lots along the south side of existing Bridle Way, a 66-foot wide Town of Burke road that provide the sole access into the Bridle Downs subdivision. Bridle Way is currently a two-lane rural road with grass shoulders and no sidewalks. The single-family lots range in size from 7,951 square feet to 24,475 square feet, with most of the lots in this portion of the subdivision around 10,000 square feet in area.
- Four lots (Lots 5-8) proposed on the north side of “Eternity Drive” will be developed with two-family twin homes in SR-C3 zoning (eight total dwelling units).
- Finally, the applicant proposes four lots in TR-U1 zoning (Lots 1-4), which will be developed in the future with 306 multi-family housing. No plans for the future development of Lots 1-4 are included with the application materials for the revised subdivision.
- The subdivision also proposes dedication of an approximately 4.78-acre public park (Outlot 3) that will extend between Felland Road and Walking Way a half-block south of Divine Street, and two outlots (1 and 2) in the southeastern corner of the plat, which will be dedicated to the City for stormwater management.

If the proposed zoning map amendments and revised plat are approved, conditional use approval will be required for some of the future development. Residential building complexes, which are defined as “a group of two (2) 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-U1 zoning district. The future multi-family development on Lots 1-4 would all qualify as residential building complexes requiring review by the Urban Design Commission and conditional use approval by the Plan Commission prior to issuance of building permits for those lots.

Additionally, the future two-family twin homes on Lots 5-8 will require conditional use approval prior to issuance of building permits for each of those lots as a result of a dispersion requirement in the SR-C3 district, which requires that no two-family twin dwelling 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. Additionally, future residential development throughout the plat will need to comply with the general provisions for residential districts in Section 28.031 of the Zoning Code and the building form standards in Section 28.172.

Analysis

In order to approve a zoning map amendment, the Common Council shall find that the zoning map amendment is *consistent with* the City’s Comprehensive Plan as required by Section 66.1001(3) of Wisconsin Statutes. “Consistent with” is defined as “furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan.” In reviewing a subdivision, the street layout shall conform to the arrangement, width and location indicated on the official map, [comprehensive] plan or component neighborhood plan, and the size, shape

and orientation of the lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

The 2009 Northeast Neighborhood Development Plan recommends development of a variety of housing types be developed within the Northeast Neighborhoods, which is intended to provide opportunities for households of different sizes, ages, incomes and lifestyles, and include opportunities for both owner-occupied and renter-occupied housing. It is generally recommended that both residential and non-residential buildings be oriented toward the street to provide definition to a block face and create a more engaging street environment. Recommended residential land use areas are divided into four broad districts, Residential Housing Mix 1, 2, 3 and 4, which generally recommend a variety of housing types to be developed at increasingly higher densities as you progress numerically through the series. A variety of housing types and densities is recommended at appropriate locations within each of the four Residential Housing Mix (HM) districts.

In Housing Mix 1 (HM1), the plan recommends predominantly single-family detached dwellings but also allows attached housing products to be developed around eight (8) units per acre, with some allowance for higher density within that district. It specifically recommends that single-family housing developments include a range of house types and lot sizes. Housing Mix 2 (HM2) predominantly recommends single-family houses developed at relatively high densities on smaller lots, duplexes, townhouses and small-scale apartment and condominium buildings with a density of up to 16 units an acre. In Housing Mix 3 (HM3) and Housing Mix 4 (HM4), building types become predominantly larger multi-family structures and dense townhouse developments, with recommended densities of up to 40 and 60 units per acre possible, respectively. Development in HM4 is recommended adjacent to planned mixed-use activity centers, with the higher densities recommended to spur the commercial development at the heart of the centers.

In the case of the subject site, HM districts 1, 2 and 3 are recommended at specific locations across the site, with increasing density from north to south. Beginning at the northern edge of the site adjacent to the Bridle Downs town subdivision, the site is recommended for development with low-density residential uses in HM1. The center of the site is generally recommended for low- to medium-density residential development in HM2 centered on the planned location for a neighborhood park/square. Along the southern edge of the site on the south side of proposed Blissful Avenue, the plan recommends the development of the property with medium-density residential uses in HM3 with the potential for mixed-use development possible along the Felland Road frontage.

As noted above, an earlier version of the Jannah Village subdivision and related zoning map amendments were found to be generally consistent with the neighborhood development plan recommendations for the site when the development was approved in July 2018 (Resolution 18-00572, File ID [51770](#)). In general, much of the revised subdivision plat is similar to the earlier version of the project, with a similar street layout as conditionally approved and the same general number and configuration of single- and two-family lots as approved previously. The location of the proposed public park on Outlot 3 remains in the same general location as previously approved, although Parks staff continues to recommend that the layout of the park be adjusted to ensure that the full parkland dedication requirement for the subdivision can be satisfied without need for fee in lieu. However, an east-west local street has been eliminated on the revised plat as previously recommended by staff, and the stormwater management pond on the south side of proposed Blissful Avenue (previously "Ashaiman Avenue") has been enlarged, with a corresponding reduction in the size of Lot 1.

The most significant change between the 2018 proposal and the proposed revisions is the request to rezone portions the subdivision zoned SR-V2 to TR-U1 and a corresponding desire to increase the future density of the

southern half of the overall development. A concept plan for the development submitted with the 2018 application called for 64 units to be developed in 16 four-unit buildings and 162 multi-family units to be developed in five buildings across the SR-V2 and TR-U1-zoned portions of the project (226 total units). While no concept plan has been submitted with the current proposal, the letter of intent for the revised development proposal indicates that up to 306 multi-family units will be developed in the TR-U1 zoning district on Lots 1-4, an 80-unit increase compared to previously. As proposed, the TR-U1 zoning will extend north of Blissful Avenue and encompass Lots 2-4 with the current proposal.

A primary consideration for the Plan Commission is whether they wish to maintain or modify the previous density restriction. During their 2018 review, the Plan Commission approved a plat restriction limiting the density on Lots 2-6 (now roughly Lots 2-4) to 16 units per net acre to reflect plan consistency. The applicant's request to rezone this area to the TR-U1 district would increase the allowable density across the same area to approximately 43.5 units per acre, which is higher than the 16-unit per acre maximum density recommended for this area by the Northeast Neighborhood Development Plan.

Planning staff does not believe that the proposal to rezone proposed Lots 3 and 4 from SR-V2 to TR-U1 and corresponding density increase will result in a development pattern or density that is consistent with the density and housing mix recommended for that portion of the subject site by the Northeast Neighborhood Development Plan. The portion of the subdivision to be developed in HM2 calls for single-family houses developed at relatively high densities on smaller lots, duplexes, rowhouses, townhouses and small-scale apartment and condominium buildings at densities not to exceed 16 units an acre. While the allowed uses and building types in the SR-V2 and TR-U1 districts are nearly identical, the density of development in the TR-U1 district is generally twice the density allowed in SR-V2, with a maximum density of approximately 43.5 units an acre in TR-U1 versus 21.7 in SR-V2. There are also modest variations in the bulk requirements of the two districts. [See Appendix A for more information on the bulk requirements of the two districts.]

While no concept plan was submitted with the current proposal to depict how the 306 units would be developed in the future to confirm whether the physical development of Lots 3 and 4 would reflect the development pattern recommended in HM2, staff feels that the existing SR-V2 zoning hews more closely to the plan recommendations than the denser TR-U1. Staff also believes that any significant increase in density beyond that currently recommended in the neighborhood development plan should not be considered until Metro Transit has been extended east of the Interstate 39/90/94 to serve the Northeast neighborhoods.

However, staff does not oppose the rezoning of proposed Lot 2 to the TR-U1 zoning district. While the HM3 recommended for this portion of the subject site is shown generally south of proposed Blissful Avenue, staff feels that the corresponding increase intensity in zoning for Lot 2 is acceptable given the reduction of developable land on Lot 1 on the south side of Blissful, which was lost due to the increased area to be dedicated for stormwater management on Outlot 1.

Section 28.182(5)(a)4.b., the Plan Commission may recommend that a proposed zoning map amendment take effect within an area smaller than the area proposed and within the originally proposed area (in other words, the Plan Commission may reduce the area to be rezoned within the area requested by the applicant), which would allow the Plan Commission to recommend that the area of proposed Lots 3 and 4 remain in SR-V2 zoning while allowing proposed Lot 2 to be zoned TR-U1 as requested. In the alternative, the Plan Commission could approve the TR-U1 zoning requested to allow the applicants to avail themselves of the bulk requirements in the requested district. However, Planning staff recommends in that case that a note be placed on the final plat restricting Lots 3

and 4 to a maximum net density of 16 units an acre for each lot consistent with the neighborhood development plan recommendations.

Otherwise, staff believes that the proposed range of single-family home sites along the northern edge of the site is consistent with the range of lot sizes and general density recommended for development in HM1 of less than eight (8) units an acre. The four lots proposed for two-family development in SR-C3 are also consistent with the HM2 recommendations as a transition from the single-family lots to the north and denser development planned to the south.

Conclusion

The applicant is requesting approval of three zoning map amendments and the revised preliminary plat and final plat of “Jannah Village” to subdivide the approximately 43.67-acre parcel on the west side of Felland Road in the Northeast Neighborhoods planning area. The proposed subdivision closely hews to an earlier version of the development approved in July 2018, including maintaining the general layout conditionally approved. However, staff does not believe that the applicant’s request to rezone some of the land area currently zoned SR-V2 to TR-U1 is consistent with the density and mix of housing types recommended in the Housing Mix 2 district in the Northeast Neighborhoods Development Plan. As such, staff recommends that the Plan Commission recommend approval of the zoning map amendment with less area to be zoned TR-U1 than proposed, or that the density of Lots 3 and 4 be limited to 16 units per net acre each consistent with the HM2 recommendation via a density restriction on the final plat.

Implementation of the subdivision will require coordination with the Town of Burke on the construction of Bridle Way and Walking Way (currently signed Canter Drive).

Recommendation

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

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00470, 28.022–00471, and 28.022–00472, rezoning 754-904 Felland Road from A to SR-C1, SR-C3, and TR-U1, the revised preliminary plat and final plat of the *Jannah Village* subdivision to the Common Council with recommendations of **approval** subject to input at the public hearing and the conditions that follow.

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

Planning Division

1. That the area of the subject site comprising proposed Lots 3 and 4 not be rezoned to the TR-U1 district as part of Zoning Map Amendment ID 28.022–00472, thereby leaving that area zoned SR-V2. In the alternative, future development of Lots 3 and 4 shall not exceed 16 units an acre per lot consistent with the density recommendations for development in Housing Mix 2 in the Northeast Neighborhoods Development Plan. In this alternative, a note restricting the future density of Lot 3 and 4 to a maximum of 16 units per net acre shall be included on the final plat.

2. All lots zoned SR-C1 shall provide a minimum of 60 feet of lot width and 8,000 square feet of lot area.
3. That prior to final approval and recording of the final plat, the applicant shall work with the Planning Division and Capital Area Regional Planning Commission (CARPC) to revise the environmental corridor map to reflect the approved subdivision, including modifications to the map to reflect disposition of the public park and stormwater management tract shown on the neighborhood development plan.
4. That prior to recording of a final plat of the subdivision, the applicant work with City Engineering and Planning staff to explore “distributed infiltration” practices as part of the means to meet the infiltration requirements identified under Chapter 37, MGO, the Northeast Neighborhood Development Plan, and those recommended in the 2010 CARPC CUSA amendment approval resolution. These methods could include but not be limited to: rain gardens installed to serve a “block of lots”, pervious pavement, depressed terraces, rain barrels and/or other methods. These “distributed” practices would be used in coordination with regional, plat-level practices.
5. Note: Approval of the zoning map amendment and subdivision by the Plan Commission and Common Council does not constitute approval of the development conceptually shown for Lots 1-8 of the plat. Following approval and recording of a final plat of the subdivision, the applicant or successor will be required to submit applications for conditional use approval to the Plan Commission pursuant to the processes in Section 28.183 of the Zoning Code. Future development of those lots is required to comply with the applicable bulk and design requirements of the Zoning Code, including the general provisions for residential districts in Section 28.031 and the building form standards in Section 28.172.

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

6. Sewer improvements will be required outside of the plat to provide sanitary sewer to this development. Sewer will need to be built on Felland Road by the developer.
7. The applicant shall continue to work with the City Engineering Division with regards to the stormwater management plan and design to meet the requirements, which include accounting for existing storage and volumetric control downstream.
8. This development was submitted prior to the updated changes in Chapter 37 of Madison General Ordinance for stormwater and erosion control. The ordinance requirements pertaining to Chapter 37 shall be those that were in place at the time of the initial submittal and shall also include any previous requirements with the initial plat submittal and as outlined below.
9. Development of this site will require additional stormwater management beyond those required in MGO Chapter 37. Specifically, the drainage system along Commercial Avenue (CTH T) will need to be reviewed and the maximum discharge rate from this development will only be allowed to match the capacity of that system.
10. The stormwater management plan is required to demonstrate how to safely pass the 100-year storm event in public right of way and easements.
11. The developer is required to construct any necessary storm sewer on Felland Road or outside the plat limits to accommodate the development. This can include storm sewer main, ditching and culverts, etc.

12. This development drains into a swale/draw over which the City of Madison has no development or drainage rights. The applicant shall be required to confirm that they have not made flooding conditions worse in the 100-year event from the discharge point of the plat south.
 13. There are wetland indicators on Felland Road adjacent to the plat. A wetland delineation will be required.
 14. This project requires work in Town of Burke right of way. The developer shall meet with Town to discuss the project and is required to get all permits required from Town.
15. The construction of this project will require that the applicant shall enter into a City/ Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Note: Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.
 16. The developer shall construct Madison Standard street, multi-use path, and sidewalk improvements for all streets within the plat.
 17. The developer shall make improvements to Felland Road to facilitate ingress and egress to the plat as required by the City Engineer. This may include left- or right-turn lanes or acceleration/deceleration tapers.
 18. 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. The improvements indicated may require right of way outside of the plat.
 19. The developer shall construct sidewalk, curb and gutter, streetlighting, and four (4) feet of pavement along Felland Road adjacent to the eastern limits of plat.
 20. The developer shall construct an east-west 10-foot wide multi-use path across Lots 3, 4, and Outlot 3 as required by City Engineer.
 21. The developer shall construct four (4) feet of pavement, terrace, curb and gutter, and sidewalk along Bridle Way and Walking Way adjacent to Lots 39-41 as required by the City Engineer and the Town of Burke. The developer shall construct all required utility trench pavement patches as required.
 22. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
 23. This development is subject to impact fees for the Northeast Neighborhood Sanitary Sewer Improvement Impact Fee District. All impact fees are due and payable at the time building permits are issued. The following note shall put on the face of the plans: "Lots/ buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued."

24. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
25. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat, the applicant shall contact either Tim Troester at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley at 261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
26. An Erosion Control Permit is required for this project.
27. A Storm Water Management Report and Storm Water Management Permit is required for this project.
28. A Storm Water Maintenance Agreement (SWMA) is required for this project.
29. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151; however, a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DPS) and no separate submittal to this agency or the Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.
30. A portion of this plat may come under the jurisdiction of the US Army Corp of Engineers and Wisconsin Department of Natural Resources for wetland, floodplain, or navigable waterway issues. A permit for these items may be required prior to construction. Contact the WDNR and USACOE for a jurisdictional determination.
31. The applicant will be required to record a deed restriction against lots that are identified to have critical elevations. The deed restriction will restrict the minimum building opening elevation to help mitigate against potential flooding.
32. Submit proposed lot corner grades with the stormwater management plan as these two items must be reviewed together to properly determine stormwater overflow conditions. Prior to the issuance of building permits, submit a master stormwater drainage plan with final as-built lot corner grades. These grades may be modified from the originally proposed grades provided they continue to meet design tolerances. No building permits shall be issued prior to City Engineering's final approval of this plan.
33. Install a property boundary witness markers along the boundary of lands dedicated for public stormwater purposes at property corners or in locations that are mutually agreeable to the applicant and Engineering Division.

34. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
35. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
36. The applicant shall demonstrate compliance with Sections 37.07 and 37.08 of Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
37. This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Madison-Dane County Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
38. This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The contractor shall coordinate this testing with the erosion control measures and notify the City Engineering Division at 266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.
39. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by Chapter 37 of Madison General Ordinances.
40. A Phase 1 environmental site assessment (Phase 1 ESA), compliant with ASTM E1527-13, is required for the project area. Staff review will determine if a Phase 2 ESA is also required. Please submit report(s) to Brynn Bemis (267-1986, bbemis@cityofmadison.com) for review.
41. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Storm Water Management Plan and Report shall include compliance with the following:
 - Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.
 - Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering.
 - Rate Control: Detain the 2-, 10-, and 100-year storm events, matching post development rates to predevelopment rates and using the design storms identified in MGO Chapter 37.

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

TSS New Development: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

Volume Control: Provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any best management practices (BMP) used to meet stormwater management requirements on this project.

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

42. Portions of Felland Road within the exterior plat boundary are still outside of the City of Madison Corporate Boundary. The applicant shall continue to coordinate with City of Madison Planning to attach all lands within the plat boundary that currently are not within the City of Madison, including the 40-foot width of Felland Road adjacent to proposed Outlot 1, the south half of Bridle Way, and the east half of Walking Way adjacent to this plat.
43. Provide private easements or private outlots to accommodate the current USPS required centralized delivery of mail using Cluster Box Units (CBUs). Applicant shall coordinate with the USPS Development Coordinator, City Engineering and Traffic Staff the required locations for the CBUs. CBU's serving this plat will not be permitted within any publicly owned or dedicated lands. A recorded CBU owner's agreement shall be required prior to execution of the development agreement and prior to final sign-off of the plat. If the developer is not able to determine all of the final locations prior to recording the final plat, the final placement of the CBUs shall be determined and all documents recorded for the placement of the CBUs (after City review and approval) prior to construction of each phase.
44. Grant a Public Storm Sewer Easement over the southeasterly corner of Outlot 3 (park parcel) to encompass the proposed public storm sewer. The easterly line of the easement shall be 10 feet easterly of the centerline of the proposed pipe.
45. Grant a 20-foot wide Public Storm Sewer Easement(s) to the City between Lots 37 and 50 for the proposed storm sewer and inlet per the preliminary plans. The proposed east-west Public Utility Easement behind the lots shall not be within the storm sewer easement. Utility easements shall only be allowed to cross Storm Sewer Easements.
46. Grant a Public Storm Water Drainage Easement(s) City on the face of this plat over the northerly side of Outlot 3 (park parcel) that encompasses the proposed Public Drainage Way. Also, there shall not be a public utility easement running longitudinally within the public drainage easement. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com) for the final required easement language.
47. Conveyances have been recorded subsequent to the previous title reports that have been provided. Provide an updated title report on all lands within this plat.
48. It is anticipated that the offsite sanitary sewer required to serve this plat can be constructed within the existing right of way of Felland Road to CTH T/Commercial Avenue. If there ultimately is a need for an offsite easement

for any required offsite public improvements serving this development, the developer shall acquire the right of way and/or easements as required by the City at the developer's expense.

49. The agreement as to restrictions per Document No. 1082511 appear to be for the plat of Bridle Downs, but as per the lands described within the document, the restrictions encumber the lands within this proposed plat. The applicant shall address this title issue and include it in the notes on the final plat if it is determined to encumber the lands in this plat at the time of final plat recording.
50. Where "Utility Easements" are labeled on the map, revise the label to "Public Utility Easements to properly match the title in the legend.
51. The Secretary of the Plan Commission is Matthew Wachter. Add to the Plan Commission Certificate on the plat.
52. This plat 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.
53. Street names are approved as shown on the final plat.
54. Submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work shall be void of gaps and overlaps and match the final recorded plat: a) Right-of-Way lines (public and private); b) Lot lines; c) Lot numbers; d) Lot/Plat dimensions; e) Street names; and f) Easement lines (i.e. all shown on the plat including wetland and floodplain boundaries.)

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

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

55. Prior to final plat approval, the applicant shall work with the Traffic Engineering Division Electrical Section to record the necessary easements for streetlights.
56. The applicant shall execute and return a declaration of conditions and covenants (DCC) for streetlights and traffic signals prior to sign off. Typically, Traffic Engineering requires a 12-foot easement between lots and 6-foot easements on corner lots where streetlights are needed. Easements are needed on lots 43, 34-40, 37, 37-50, 51, 53-54, 57, 10-11, 13, 14-15, 33-32, 29-30, and 25-27.
57. The applicant shall add a note to the final plat stating no driveway shall be constructed that interferes with the orderly operation of the pedestrian walkway. This will require all pedestrian ramps to be constructed separate from driveway entrances; a curb-head of no less than six (6) inches in width shall be constructed between all pedestrian ramps and driveway entrances. This is especially important at 'T' intersections where lot and building layout become critical; to prevent interference with the pedestrian ramp, lots intersecting or adjacent 'T' intersection may require a shared driveway and access.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

58. Proposed Lot 32 does not meet the zoning requirements for the SR-C1 zoning district. The minimum lot size of a SR-C1 zoned property is 8,000 square feet and the minimum lot width is 60 feet.
59. Correct the lot size square footage shown for Lot 10.

Fire Department (Contact Bill Sullivan, 261-9658)

60. 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)." 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 Adam Wiederhoeft, 266-9121)

61. Any outstanding water main assessments or water main connection charges shall be paid by the developer prior to connecting to the existing water distribution system. Contact Adam Wiederhoeft of Madison Water Utility (awiederhoeft@madisonwater.org or 266-9121) to determine if outstanding fees exist for the subject parcels.

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

Metro Transit (Contact Tim Sobota, 261-4289)

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

Parks Division (Contact Ann Freiwald, 243-2848)

64. The proposed parkland dedication overlays the land identified for parkland in the Northeast Neighborhoods Development Plan, adopted in 2009.
65. On the preliminary plat of Jannah Village, the developer proposes to dedicate approximately 4.78 acres of parkland to the City, identified as Outlot 3 and located in the central eastern area of the subdivision.
66. The proposed preliminary plat contemplates 48 single-family lots; four duplexes; and four lots for future multi-family development. Depending on the final unit counts, it is anticipated that the required park land dedication may not be fully met based on the land dedication requirements of 1,081 square feet per single family unit/duplex, 734 square feet per multi-family unit, and 1,424 square feet per large multi-family unit, per MGO Sec. 16.23(8)(f)(4). The applicant is encouraged to work with the Parks Division to fully meet the parkland dedication requirement for this plat.

67. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(6) will be required for all new residential development associated with this project. This development is within the East Park-Infrastructure Impact Fee district. Please reference ID# 18131 when contacting Parks Division staff about this project.
68. 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.
69. No farming or use of lands to be dedicated to the public for Park purposes shall be allowed unless specifically approved by the Parks Superintendent and permitted under a farm lease administered through the City of Madison Office of Real Estate Services.
70. The applicant shall prominently stake all boundaries and property irons for lands to be dedicated for park purposes.
71. The developer shall provide soil borings within any lands to be dedicated as parkland.
72. The park should meet the following guidelines for park development:
 - a. Areas within a park to be used for open space for active and passive recreation shall be graded at 1-2% for the area of field proposed.
 - b. No side slopes within the park dedication area shall exceed 4:1.
 - c. The applicant shall provide proposed grading plans prior to approval of the area for dedicated public park lands.
 - d. No propose utilities will be allowed on public park land without prior approval by the Parks Superintendent or his designee
 - e. Areas that are wetlands shall not be dedicated as public parkland.
73. The applicant shall complete a tree inventory and health assessment for the trees located on the proposed public park and any in close proximity to the park. The applicant shall include all existing trees, which are not all currently shown on the preliminary plat. The tree inventory and health assessment should be completed by an arborist and provided to the Parks Division prior to final approval and recording of the final plat.
74. The applicant shall install a fence along the boundary of lands dedicated for public park purposes at the sole expense of the applicant. The fence shall be installed on private property along the southern line of Lots 51-57 to a design that is mutually agreeable to the applicant and Parks Division. The applicant shall execute a deed restriction that would require the fence to be perpetually maintained by the property owners for any lots that are adjacent to publicly dedicated park lands, and as determined by the Parks Superintendent.
75. The following note should be included on the subdivision: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."
76. Once dedicated to the public, the developer shall not use park property for construction staging, stockpiling material, or any other purpose.

77. The location of the multi-use path on Outlot 3 will be coordinated with the Parks Division.

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

78. Prior to approval sign-off, the Owner's Certificate on the final plat shall be executed by all parties having an interest in the property, pursuant to Wis. Stats. 236.21(2)(a). Certificate shall be prepared with the ownership interests consistent with the most recent title report. Signatories shall provide documentation that proves legal authority to sign the Owner's Certificate. When possible, the executed original hard stock recordable plat shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the plat containing electronic signatures shall be provided to ORES to obtain approval 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 the plat is signed electronically, a PDF of the plat containing electronic signatures shall be provided to ORES to obtain final approval sign-off.

80. 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.

81. 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 sign-off.

82. Please revise the City Treasurer Certificate to read as follows:

"I, Craig Franklin, being the duly appointed, qualified and acting Treasurer of the City of Madison, Dane County, Wisconsin, do hereby certify that, in accordance with the records in my office, there are no unpaid taxes or unpaid special assessments as of this _____ day of _____, 20____ on any of the lands included in the plat of _____."

Craig Franklin, City Treasurer
City of Madison, Dane County, Wisconsin"

83. As of September 25, 2020, the 2019 real estate taxes are paid for the subject property. Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to Plat recording. This includes property tax bills for the prior year that are distributed at the beginning of the year. Receipts are to be provided on or before sign-off and checks are payable to: City of Madison Treasurer; 210 Martin Luther King, Jr. Blvd.; Madison, WI 53701.

84. As of September 25, 2020, there are special assessments reported for the parcels within the plat boundary. Pursuant to MGO Section 16.23(5)(e)1 and Wis. Stats. 236.21(3), all special assessments, 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 the Office of Real Estate Services in advance of plat approval sign-off.

85. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall provide to Lance Vest in the City's Office of Real Estate Services (lvest@cityofmadison.com), as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (October 22, 2018) 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.

86. Revise the final plat as follows:

- a. Accurately reflect the contents of the title report in the proposed plat. In particular, the restrictive covenants described in Document No. 1082511.
- b. Depict, name, and identify by document number on the proposed plat all existing easements cited in record title.
- c. Provide proof of satisfaction or release for all liens and/or judgments of record prior to plat sign-off.
- 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 subdivision.
- e. 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 the Office of Real Estate Services. 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 the Office of Real Estate Services to discuss the potential lease terms. Said leases are authorized by Resolution 13-00247, adopted April 16, 2013.

Appendix A: Zoning District Requirements Comparison

SR-C1 Zoning Criteria

Requirements	Required for Single-Family Detached	Proposed
Lot Area (sq. ft.)	8,000 sq. ft.	(See conditions)
Lot Width	60'	60'
Front Yard Setback	30'	To be determined at permitting
Side Yard Setback	One-story: 6' Two-story: 7'	To be determined at permitting
Reverse Corner Side Yard Setback	15'	To be determined at permitting
Rear Yard Setback	Lesser of 30% lot depth or 35'	To be determined at permitting
Usable Open Space	1,300 sq. ft.	To be determined at permitting
Maximum Lot Coverage	50%	To be determined at permitting
Maximum Building Height	2 stories/ 35'	To be determined at permitting

SR-C3 Zoning Criteria

Requirements	Required: Two-Family Twin Homes	Proposed
Lot Area (sq. ft.)	4,000 sq. ft./dwelling unit	16,345 sq. ft.
Lot Width	25'/ dwelling unit	125' +
Front Yard Setback	25'	To be determined at permitting
Side Yard Setback	One-story: 5' Two-story: 6' (one side only)	To be determined at permitting
Reverse Corner Side Yard Setback	15'	To be determined at permitting
Rear Yard Setback	Lesser of 30% lot depth or 35'	To be determined at permitting
Usable Open Space	750 sq. ft./d. u.	To be determined at permitting
Maximum Lot Coverage	60%	To be determined at permitting
Maximum Building Height	2 stories/ 35'	To be determined at permitting

SR-V2 Zoning Criteria

Requirements	Required: Multi-Family	Proposed
Lot Area (sq. ft.)	2,000 sq. ft./ dwelling unit	56,057 sq. ft. +
Lot Width	60'	More than 60'
Front Yard Setback	25'	To be determined at permitting
Side Yard Setback	10'	To be determined at permitting
Reverse Corner Side Yard Setback	12'	To be determined at permitting
Rear Yard Setback	Lesser of 25% lot depth or 30'	To be determined at permitting
Usable Open Space	500 sq. ft./ dwelling unit	To be determined at permitting
Maximum Lot Coverage	60%	To be determined at permitting
Maximum Building Height	4 stories/ 52'	To be determined at permitting

TR-U1 Zoning Criteria

Requirements	Required: Multi-Family	Proposed
Lot Area (sq. ft.)	1,000 sq. ft./d. u. + 300 sq. ft. per bedroom greater than two	142,788 sq. ft.
Lot Width	50'	More than 50'
Front Yard Setback	15' or average	To be determined at permitting
Maximum Front Yard Setback	30' or up to 20% greater than block average	To be determined at permitting
Side Yard Setback	10'	To be determined at permitting
Reverse Corner Side Yard Setback	12'	To be determined at permitting
Rear Yard Setback	Lesser of 25% lot depth or 25'	To be determined at permitting
Usable Open Space	320 sq. ft./ dwelling unit	To be determined at permitting
Maximum Lot Coverage	75%	To be determined at permitting
Maximum Building Height	5 stories/ 65'	To be determined at permitting