



## Report to the Plan Commission

August 23, 2010

**Legistar I.D. #19362 & 19482**

**9401 Mid Town Road**

**Rezoning, Preliminary Plat & Final Plat**

Report Prepared By:

Timothy M. Parks, Planner

Planning Division

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**Requested Action:** Approval of a request to rezone approximately 9.3 acres located at 9401 Mid Town Road from Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to R1 and R2T (Single-Family Residence Districts) and R5 (General Residence District), and; approval of a preliminary plat and final plat creating 19 single-family residential lots, 1 lot for a future multi-family residential development and 1 outlot for stormwater management.

**Applicable Regulations & Standards:** Section 28.12 (9) provides the process for zoning map amendments. The subdivision process is outlined in Section 16.23 of the Subdivision Regulations.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission forward Zoning Map Amendments 3495-3497, rezoning 9401 Mid Town Road from PUD-GDP-SIP to R1, R2T and R5, and the preliminary plat and final plat of First Addition to Hawks Ridge Estates 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

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**Applicant:** Tim McKenzie, TR McKenzie, Inc.; 1910 Hawks Ridge Drive; Madison.

**Surveyor:** Ron Klaas, D'Onofrio Kottke & Associates; 7530 Westward Way; Madison.

**Property Owner:** Willie Keuler; 8308 State Highway 19; Cross Plains.

**Proposal:** The applicant is requesting approval of a subdivision plat to create 19 single-family residential lots in R1 and R2T zoning, 1 lot for a future multi-family development in R5 zoning, and 1 outlot for stormwater management. The applicant wishes to commence construction of the subdivision infrastructure as soon as all regulatory approvals have been granted. Full build-out of the development will occur based on market conditions.

**Parcel Location:** Approximately 9.3 acres located on the south side of Mid Town Road approximately midway between Woods Road and Hawks Ridge Drive; Aldermanic District 1 (Sanborn); Madison Metropolitan School District.

**Existing Conditions:** Undeveloped land, zoned [Unrecorded] PUD-GDP-SIP. A single-family residence and various farm-related outbuildings were demolished to accommodate development of a residential project approved in September 2007.

### Surrounding Land Use and Zoning:

North: Single-family residences in the Hawks Landing Golf Club subdivision, Kingswood Park, zoned R1 (Single-Family Residence District);

South: Single-family residence on a large lot and future single-family residences as shown on the approved preliminary plat of Hawks Woods Estates, zoned R1; University Ridge Golf Course, zoned A;

East: Hawks Ridge Estates subdivision, zoned R1; Aspen Ridge Apartments, zoned PUD-SIP;

West: Hawks Meadow single-family subdivision, zoned R1 and R2T (Single-Family Residence Districts).

**Adopted Land Use Plan:** The Comprehensive Plan recommends the subject site and surrounding properties generally located between Woods Road and Hawks Ridge Drive for low-density residential uses.

The Mid-Town Road Neighborhood Development Plan recommends the Mid Town Road frontage of the site for medium-density residential uses and stormwater management, with the remainder of the site recommended for low-density residential uses.

**Environmental Corridor Status:** The subject site is not located within a mapped environmental corridor.

**Public Utilities and Services:** The property will be served by a full range of urban services.

**Zoning Summary:** See the 'Project Review' section below. With the exception of utility easements, the Zoning staff indicates that there are no "Critical Zoning Items" affecting the subject site.

## **Previous Approvals**

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On October 23, 2006, the Plan Commission granted approval of a demolition permit to allow a prior applicant to demolish the single-family residence on the subject site in advance of the approval of a planned unit development and subdivision for the property.

On September 18, 2007, the Common Council approved the prior applicant's request to rezone 9401 Mid Town Road from Temp. A to PUD-GDP and PUD-GDP-SIP to allow construction of 52 total condominium units to be located in 8 single-family residences, 10 two-family structures and a future 24-unit multi-family building. The Common Council approved the final plat of Hawks Ridge creating 5 lots and 1 outlot for public stormwater detention to serve the proposed PUD on October 2, 2007.

## **Project Review**

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The applicant is requesting approval to rezone approximately 2 acres from [unrecorded] PUD-GDP-SIP to the R1 Single-Family Residence District, 1.7 acres to the R2T Single-Family Residence District and 3.6 acres to the R5 General Residence District to facilitate the subdivision of the overall 9.3-acre parcel into 19 single-family lots, 1 lot for a future multi-family development and 1 outlot for public stormwater management.

### Background & Existing Conditions

The subject site is located on the south side of Mid Town Road approximately midway between Woods Road and Hawks Ridge Drive. The site is part of a 60.5-acre grouping of four properties that were annexed to the City of Madison from the Town of Verona in July 2004. The annexation area was generally bounded by Mid Town Road on the north, Woods Road on the west and the University Ridge Golf Course on the south and east.

The subject site generally falls from the southern and eastern property lines towards the northwest, where a detention facility is proposed to serve the subject development. No significant vegetation is present on the property. The 9.3-acre parcel is bordered on the east and west by two subdivisions developed by the applicant, which were approved within the last 5 years. The Hawks Meadow single-family subdivision containing 33 single-family lots is located west of the subject site adjacent to Woods Road, while the Hawks Ridge Estates subdivision containing 33 single-family lots and 2 multi-family lots adjoins the site to east. One of the 2 multi-family lots east of the site was developed with the applicant's 176-unit Aspen Ridge apartment complex, which is located in 9 buildings; the second multi-family lot further to the east across Hawks Ridge Drive is undeveloped.

Single-family components of the Hawks Landing Golf Club subdivision and the City's Kingswood Park are located north of the site across Mid Town Road. The property bordering the subject site on the south is a heavily wooded 10.6-acre property that was rezoned from Temp. A to R1 in 2009 to accommodate the future creation of 21 single-family lots as shown on the approved preliminary plat of Hawks Woods Estates subdivision. As part of that land use approval, a two-lot Certified Survey Map was approved to allow a single-family residence at 2055 Woods Road to be subdivided from the 10.6-acre parcel, with the remaining land designated for the future development of the other 20 residences. In addition, the westernmost portion of the Hawks Ridge Estates plat adjoins the southeastern corner of the subject site, with University Ridge Golf Course located further to the south.

At the time the 60.5-acres were annexed into Madison, an amendment to the Mid-Town Neighborhood Development Plan was prepared to provide guidance for the development of all lands located south of Mid Town Road and east of Woods Road that were not part of the golf course. The majority of the lands included in the plan amendment area were recommended for low-density residential land uses up to 8 units per acre. The amendment specified that there was to be a range of lot sizes within the low-density area, including some lots in the low-to-medium density range. Medium-density residential land uses averaging 15 units per acre and above were recommended for 11 acres of land located on both sides of the southerly extension of Hawks Landing Circle across Mid Town Road opposite similarly dense development in Hawks Landing, with most of this particular use located on this site.

A recently approved amendment to the Mid-Town Neighborhood Development Plan focusing on the westerly reaches of the planning area between Hawks Landing and Pine Hill Farms on the east and Pioneer and Meadow roads on the west includes an updated land use plan for most of the planning area that reflects the development approvals granted since the previous amendment was approved in 2004. On the updated land use map, the land use recommendations for the subject site were updated to call for medium-density residential development and stormwater management along the Mid Town Road frontage of the site, which is consistent with the land uses approved for that portion of the property in 2007. Low-density residential uses continue to be recommended for the remainder of the site. The amended plan map is attached and highlights the boundaries of the subject site.

The Comprehensive Plan recommends the subject site and surrounding properties generally located between Woods Road and Hawks Ridge Drive for low-density residential uses.

### Zoning Map Amendment and Plat Review

Access to the proposed subdivision will be provided by the extension of two east-west streets, Dregers Way and Silverstone Lane, which were platted in the Hawks Meadow subdivision west of the site. Silverstone Lane will continue across the subject site to connect to a section of the same street platted in the Hawks Ridge Estates subdivision to the east. A north-south street, Hawkstone Way, is shown extending south from Dregers Way across Silverstone Lane to connect to a matching stub street shown on the Hawks Woods Estates preliminary plat to the south. The road network proposed by the proposed subdivision and the Hawks Meadows, Hawks Woods Estates and Hawks Ridge Estates subdivisions largely reflects the road pattern detailed in the Mid-Town Neighborhood Development Plan. Per the proposed final plat, the subject site will not have access to Mid Town Road.

The applicant proposes 10 R2T-zoned lots (45-54) to be located on the north side of Silverstone Lane and the south side of Dregers Way west of proposed Hawkstone Way. Eight of the 10 lots will measure 68 feet in width and have approximately 7,300 square feet of lot area, while the remaining 2 R2T lots will be slightly larger to accommodate the proposed street layout. All 10 lots will exceed the minimum 44 feet of lot width, 80 feet of lot depth and 5,000 square feet of lot area required in the R2T district, which also includes design standards for the treatment of street-facing attached garages.

The 9 remaining single-family lots (36-44) will be located on the south side of Silverstone Lane and will be zoned R1. The proposed lots will range in size from 8,494 square feet to 11,622 square feet, with all of the lots conforming to the minimum 65 feet of lot width, 100 feet of lot depth and 8,000 square feet of lot area required in the R1 district. The lot pattern of both the proposed R1 and R2T lots largely represents an extension of the development pattern established in the Hawks Meadows and Hawks Ridge Estates subdivisions to the west and east, respectively, with regard to the general size and layout of lots.

The proposed multi-family lot, Lot 55, will be an approximately 2.9-acre parcel located on the north side of Silverstone Lane east of Hawkstone Way immediately adjacent to 2 multi-family lots platted on the original plat of Hawks Ridge Estates, which were subsequently developed by the applicant with a 9-building, 176-unit multi-family project. The applicant has submitted a concept plan for proposed Lot 55 with the rezoning request that proposes the future development of 4 additional buildings on the site, which would contain a total of 64 multi-family units and serve as the second phase of the adjacent Aspen Ridge development. The concept plan for the site should be considered illustrative at this time, and will require a separate approval by the Plan Commission of a planned residential development conditional use following final approval of the rezoning of this portion of the site to R5. Note: Urban Design Commission review of the planned residential development is required prior to the Plan Commission's review.

Stormwater management for the project will be provided in the northwestern corner of the subject site adjacent to Mid Town Road in a 0.72-acre outlot to be dedicated to the City. At the time the Mid-Town Neighborhood Development Plan was amended to include the lands annexed to Madison in 2004, two stormwater management areas were envisioned to serve the entire 60.5-acre area. However, a disagreement between the four property ownerships that comprised the majority of the annexation area caused the four parcels to be developed individually instead of jointly, so the third stormwater management area proposed with the subject plat, but not shown on the neighborhood development plan, is required to serve the additional residential development.

## Analysis

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As noted above, a recently approved amendment to the Mid-Town Neighborhood Development Plan recommends the Mid Town Road frontage of the subject site for medium-density residential uses and stormwater management, with the remainder of the site recommended for low-density residential uses. In addition to the standard neighborhood development plan convention that bases recommendations on residential densities, the recent Mid-Town NDP amendment also employs the more recently adopted "housing mix" convention that was included in the Pumpkin Hollow Neighborhood Development Plan adopted in 2008 and the Northeast Neighborhoods Development Plan adopted in 2009.

While still making specific recommendations for appropriate density ranges for certain lands with a planning area, the housing mix convention more expressly describes the housing types that would be appropriate for those lands. In the case of the amended Mid-Town Neighborhood Development Plan, lands recommended for low-density residential uses are also recommended for Housing Mix 1, which encourages small areas of duplexes, rowhouses and townhouses in addition to a wide range of single-family detached residences and lots with an overall density of 4-8 units an acre. Housing Mix 3 is paired with lands identified for medium-density residential uses, with rowhouses, townhouses and small- to mid-sized apartment and condominium buildings recommended to be developed at densities between 16 and 25 units an acre. [Housing Mix 2 is a higher-density version of Housing Mix 1, with single-family residences, duplexes, rowhouses and townhouses recommended at densities between 8-15 units an acre.]

The Comprehensive Plan recommends the entire site and the surrounding properties generally located between Woods Road and Hawks Ridge Drive for low-density residential uses with a density between 0-15 units per acre. This includes the single-family lots created in the Hawks Meadows and the original Hawks Ridge Estates subdivisions, as well as the 176-unit apartment complex developed on the adjacent multi-family lot in Hawks Ridge Estates.

As proposed, the density of the 19 single-family lots proposed will substantially conform to the density recommendations in both the Mid-Town Neighborhood Development Plan and the Comprehensive Plan, with a net density of 5.1 units an acre resulting from 19 units proposed to occupy 3.73 net acres of the site. The final density of development of the proposed multi-family lot, Lot 55, will not be determined until a subsequent land use application and plans are submitted for review. However, the applicant has submitted a concept plan for the 2.9-acre lot that proposes future development of that parcel with 64 multi-family units in 4 buildings as an expansion of the adjacent Aspen Ridge apartment complex. The 64 proposed units would result in a density of 22 units an acre, which falls within the density range recommended in the Mid-Town Neighborhood Development Plan but exceeds the 15-unit an acre maximum density called for in the Comprehensive Plan for low-density residential uses.

In contrast, the adjacent 176-unit Aspen Ridge development has a density of 27.5 units an acre based on the 6.4 acre parcel on which that project was constructed, though that density was achieved only after the developer of the apartments and the subject applicant agreed to restrict the future density of second lot zoned for multi-family uses located across Hawks Ridge Drive, which was rezoned R5 at the time the original Hawks Ridge Estates plat was approved in 2005. The resulting net density of the 2 multi-family lots in Hawks Ridge Estates was capped at 21.78 units per acre, which Planning Division staff believed was an appropriate density for those 2 lots based on the recommendations in the Mid-Town Neighborhood Development Plan.

Though the potential future density of Lot 55 may ultimately exceed the maximum density of 15 units an acre recommended for low-density residential uses in the Comprehensive Plan, the Planning Division believes that the Plan Commission may still be able to find the proposed rezoning and future apartment project on that property consistent with the Comprehensive Plan. If developed as shown on the concept plan submitted with the rezoning application, the resulting project would serve as an extension of a development immediately adjacent, which Planning staff noted in 2006 was well designed overall and included significant greenspace and a significant rooftop pool and clubhouse amenity for residents.

The potential second phase of the Aspen Ridge apartment development onto Lot 55 may also respond to a concern raised by Planning Division staff at the time that the now defunct planned unit development for the subject site was reviewed in 2007. At that time, staff emphasized a need for the multi-family component of that project to be visually and architecturally integrated with the Aspen Ridge development in an effort to assure the appearance of a somewhat cohesive development pattern along Mid Town Road. The second phase of Aspen Ridge on proposed Lot 55 should address staff's 2007 concerns about cohesiveness between development on the subject site and the first phase of Aspen Ridge project to the east, though final details of the second phase still require additional consideration, including the orientation of the 2 larger apartment buildings on the northern portion of Lot 55 and the physical and architectural linkages between the two phases. The density of an approximately 64-unit multi-family development on Lot 55 would also appear to comport to the land use and density recommendations for the site in the more detailed Mid-Town Neighborhood Development Plan.

## **Conclusion**

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The applicant is requesting approval of a rezoning of 9.3 acres from Planned Unit Development zoning to conventional R1 and R2T Single-Family Residence District zoning and R5 General Residence District zoning and the approval of a subdivision plat creating 19 single-family lots, 1 lot for future multi-family development and 1 outlot for public stormwater management. The Planning Division believes that the proposed zoning map amendments and subdivision plat largely comports to the land uses, density and development pattern recommended for the subject site in the Mid-town Neighborhood Development Plan and that the density of the proposed development can be found to be consistent with the low-density residential land uses recommended for the site and adjacent properties on the south side of Mid Town Road in the Comprehensive Plan despite the potential future density of the proposed R5-zoned lot likely exceeding the 15 unit an acre maximum recommended in that land use designation. The proposed First Addition to Hawks Ridge Estates continues a development pattern established within the last 5 years on properties located to the west and east in the Hawks Meadows and Hawks Ridge Estates subdivisions, respectively. A potential development of the R5-zoned Lot 55 of the subject plat, while likely exceeding the density recommendations of the Comprehensive Plan, should result in a cohesive development pattern along the Mid Town Road frontage, which staff previously identified as a concern when the site was proposed for development in 2007.

However, staff notes the rezoning of proposed Lot 55 to R5 should not be deemed as an endorsement of the proposed development as portrayed on the conceptual plan submitted by the applicant with the zoning map amendment application. Future development of Lot 55 will require a subsequent review of a separate application by the Plan Commission, at which time the final details of the development will be approved.

## **Staff Recommendations, Conditions of Approval & General Ordinance Requirements**

Major/Non-Standard Conditions are shaded

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

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment 3495-3497, rezoning 9401 Mid Town Road from PUD-GDP-SIP to R1, R2T (Single-Family Residence Districts) and R5 (General Residence District), and the preliminary plat and final plat of First Addition to Hawks Ridge Estates to the Common Council with recommendations of **approval**, subject to input at the public hearing and the following conditions:

1. That the final plat be revised to show a 30-foot building line along the Mid Town Road frontage of Lot 55.
2. That the applicant submit a separate application for a planned residential development conditional use for Lot 55 for review by the Plan Commission following a recommendation by the Urban Design Commission. Approval of the rezoning of that portion of the subject site to R5 shall not constitute an endorsement of a particular development proposal for that lot that will be submitted subsequently.

The following conditions have been submitted by reviewing agencies:

### **City Engineering Division** (Contact Janet Dailey, 261-9688)

3. Amend the standard non-exclusive storm sewer drainage easement note to correctly dedicate appropriate easement widths, either 6 feet in width on each lot or reduced to 5 feet in width on each lot if the zoning set back is 5 feet.
4. A 15-foot storm water easement shall be provided along the west side of Lot 45 and 54.
5. The developer shall enter into a City/Developer agreement for the installation of public improvements required to serve this plat. 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.
6. 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.
7. This development is subject to impact fees for the Lower Badger Mill Creek Sanitary Sewer and Stormwater Impact Fee District. All impact fees are due and payable at the time building permits are issued. The following note shall be put the face of the plat: "Lots/ buildings within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."
8. The applicant shall dedicate an additional 7-foot wide Permanent Limited Easement for grading and sloping along Mid Town Road.

9. The Public Storm Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this plat are subject to the following conditions:
  - a.) The property owner reserves the right to use and occupy the Public Storm Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public storm sewer facilities.
  - b.) No above-ground improvements shall be located in the Public Storm Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public storm sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c.) Plantings and landscaping within the Public Storm Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d.) The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
  - e.) The Public Storm Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
10. The developer shall construct Madison standard street improvements for all streets within the plat.
11. The developer shall construct sidewalk and record a waiver of their right to notice and hearings for the assessments for the improvement of Mid Town Road in accordance with Wisconsin Statutes Section 66.0703(7)(b) and MGO Section 4.09. Said sidewalk constructed in front of and waiver recorded to Lot 55 and Outlot 2.
12. The developer shall construct sidewalk along Mid Town Road to a plan approved by the City Engineer and complete ditching as required by the City Engineer.
13. All proposed street names shall be approved by the City Engineer. The applicant shall contact Lori Zenchenko (266-5952) with street name requests.
14. Coordinate all necessary new interior addresses associated with this proposed development with City Engineering Program Specialist Lori Zenchenko.
15. An erosion control plan and land disturbing activity permit shall be submitted to the City Engineering Division for review and approval prior to grading or any other construction activities. The Pre-construction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. 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 7.5-tons per acre per year.
16. 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.

17. Arrows shall be added to the plat indicating the direction of drainage for each property line not fronting on a public street. In addition, the plat shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the plat.

- a.) Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.
- b.) All lots within this survey are subject to a public easement 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 easement shall be 12-feet in width on the perimeter of the certified survey map. Easements shall not be required on property lines shared with green ways or public streets. No structures may be constructed within said easement and no other obstructions to drainage, including landscaping are permitted without the prior written approval of the City Engineer.

Note: In the event of the City of Madison Plan Commission and/or Common Council approve 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.

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. No building permits shall be issued prior to City Engineering's approval of this plan.

The following note shall accompany the master storm water 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."*

19. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2, 10 & 100-year storm events; control 80% TSS (5 micron particle), provide substantial thermal control, and; provide infiltration in accordance with NR-151. Stormwater management plans shall be submitted and approved by the City Engineering Division prior to signoff.
20. This site is greater than one acre and the applicant is required by State Statute to obtain a Notice of Intent Permit (NOI) from the Wisconsin Department of Natural Resources.
21. Effective January 1, 2010, the Department of Commerce's authority to permit commercial sites for stormwater and erosion control has been transferred to the Department of Natural Resources. As this site is greater than one acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. The City of Madison cannot issue an erosion control and stormwater management permit until concurrence is obtained from the WDNR.
22. A minimum of 2 working days prior to requesting City Engineering Division signoff on the plat, the applicant shall contact Janet Dailey (261-9688) 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).
23. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering signoff.
24. 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 or CSM. Note: Land tie to two PLS corners required.
25. 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 or Certified Survey Map in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. City of Madison has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City of Madison Engineering Division website for current tie sheets and control data. If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact the Engineering Division for this information.

**Traffic Engineering Division** (Contact John Leach, 267-8755)

26. The developer shall put the following note on the face of the plat: "All the lots within this subdivision are subject to impact fees that are due and payable at the issuance of building permit(s)." Note: The development may be delayed until the Common Council approves the transportation impacts fees.

27. The applicant shall be responsible for constructing pedestrian-bicycle paths and a Mid Town Road pedestrian refuge island connecting to Kingswood Park on the north side of Mid Town. (A similar condition of approval was required with the 2007 development approval for this site.)

28. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights and traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.

29. Utility easements shall be provided as follows. The applicant shall show a detail drawing of the 12-foot utility easement dimensions and lot lines on the face of the plat.

Between Lots	Between Lots	Between Lots
37 & 38	42 & 43	52 & 53
40 & 41	49 & 50	Westerly 12 feet of OL 2

30. 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 Pat Anderson, 266-5978)

This agency did not submit a response for this request.

**Parks Division** (Contact Kay Rutledge, 266-4714)

31. This development is within the Elver Park impact fee district (SI31). The developer shall pay \$58,368.24 in park dedication and development fees for 19 new single-family lots, which is the remaining amount due after a credit is given for the existing single-family structure on the property. Once the configuration of Lot 55 (the R5 multi-family lot) is determined, additional park impact fees will be assessed for this portion of the development.

Park Dedication required for the 18 new single-family lots = 18 units at 1,100 square feet per unit = 19,800 square feet. The Fee in Lieu of Dedication is based on current property values up to \$2.11 per square foot for 2010 = \$41,778.00. Park development fees = (18 SF lots X \$921.68 per unit) = \$16,590.24.

32. The applicant must select a method for payment of park fees before signoff on the rezoning.

33. The applicant shall be responsible for constructing the Mid Town Road pedestrian refuge island connection to Kingswood Park on the north side in accordance with Traffic Engineering's comments.

**Fire Department** (Contact Scott Strassburg, 261-9843)

34. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

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

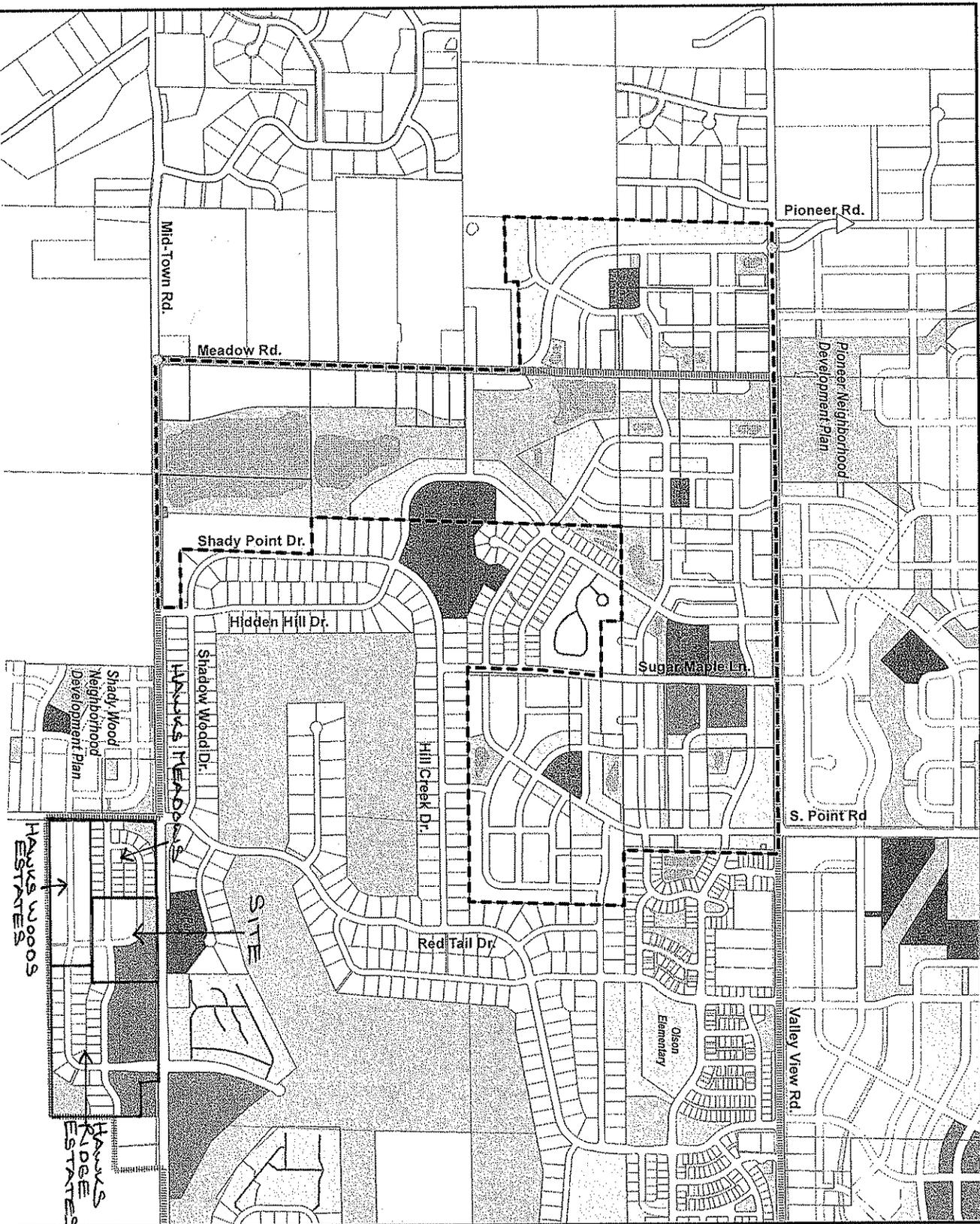
35. There will be water main assessments due for the Mid Town Road frontage of this property.

36. All public water mains and water service laterals shall be installed by a standard City subdivision contract.

37. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. All operating private wells shall be identified and permitted by the Water Utility in accordance with Madison General Ordinance 13.21.

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

This agency did not submit a response for this request.



**Map 5:**  
**Land Use and Street Plan**  
 Amendment to the Mid-Town  
 Neighborhood Development Plan  
 June 2010

- Mid-Town NDP Area
  - Amendment Area
  - Property Ownership
  - Lands to Remain in the Town of Middleton
- Recommended Land Use**
- Low Density Residential (Housing Mix 1) (4-8 units/acre)
  - Low-Medium Density Res. (Housing Mix 2) (8-15 units/acre)
  - Medium Density Res. (Housing Mix 3) (16-25 units/acre)
  - Utilities
  - Parks
  - Other Open Space and Stormwater Management
  - Conceptual Stormwater Detention Location

**DRAFT**

