



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
TDD 608 266-4747
FAX 608 266-8739
PH 608 266-4635

August 6, 2009

John Eskrich
2055 Woods Road
Verona, Wisconsin 53593

RE: Approval of a request to rezone approximately 10.6 acres located at 2055 Woods Road from Temp. A (Agriculture District) to R1 (Single-Family Residence District); approval of a preliminary plat creating a total of 21 single-family residential lots and 1 outlot for stormwater management, and; approval of a two-lot Certified Survey Map creating 1 lot for an existing single-family residence and 1 outlot for future development in accordance with the proposed preliminary plat.

Dear Mr. Eskrich;

At its August 4, 2009 meeting, the Common Council **conditionally approved** your zoning map amendment, preliminary plat of the "Hawks Woods Estates" subdivision and two-lot Certified Survey Map subject to the following conditions of approval from reviewing agencies:

Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following twenty-six (26) items:

1. It is likely that the storm sewer shall have to be extended up Woods Road, outside the limits of the plat to serve this development.
2. Lot 1 will be subject to the Lower Badger Mill Creek Sanitary Sewer and Stormwater Impact Fee District. The sanitary sewer impact fee will be due and payable upon the completion of the sanitary sewer installation to serve this plat.
3. The developer shall extend storm and sanitary sewer to the CSM/plat limits as designed by the City Engineer.
4. The developer shall extend public sanitary sewer within Ashworth Drive and Lot 1 of proposed CSM shall be required to connect to public sanitary sewer as part of this development.
5. Private septic systems shall be abandoned upon the extension of the public sanitary sewer. The developer shall provide proof of abandonment from Dane County.
6. In the event the Traffic Engineering Division requires Woods Road to be access controlled consistent with the Hawks Meadow Subdivision Plat to the north, resulting in the relocation of the existing driveway to the existing residence on Lot 1 from Woods Rd to Ashworth Drive, then the current address of 2055 Woods Road, Verona, WI 53593-9150 will need to be changed to an Ashworth Drive address. Coordinate as necessary with Engineering Mapping (contact Lori Zenchenko, Lzenchenko@cityofmadison.com).

7. The preliminary plat and CSM have some mathematical/ closure errors that shall be remedied on the final plat submittal. The final plat shall also make reference to numerous recorded and measured values around the perimeter boundary of the subdivision as necessary.
8. 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.
9. 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' below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
10. 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/CSM: "Lots/ buildings within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."
11. The applicant shall dedicate a 15-foot wide Permanent Limited Easement for grading and sloping along Woods Road.
12. The developer shall construct Madison standard street improvements for all streets within the plat.
13. The developer shall make improvements to Woods Road, including constructing sidewalk and approximately 24 feet of a future roadway including curb and gutter on the east side of the roadway.
14. 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.
15. 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.

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.

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

- 16. 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."

- 17. Arrows shall be added to the certified survey map indicating the direction of drainage for each property line not fronting on a public street. In addition, the certified survey map shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the certified survey map.
 - 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. The following note shall be added to the certified survey map. "All lots created by this certified survey map are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to storm water management at the time they develop."
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.
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. A minimum of two working days prior to requesting City Engineering signoff on the plat, the applicant shall contact Janet Dailey 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).
22. 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.
23. 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.
24. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference City of Madison WCCS Dane Zone, 1997Coordinates 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.
25. Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), the final CSM must be submitted to the Engineering Division Surveyor/Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the final CSM in PDF form is preferred. Please transmit to epederson@cityofmadison.com.

26. The applicant shall submit to Eric Pederson, prior to Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the final plat to the Mapping/GIS Section of the Engineering Division. The digital copies shall be submitted in both NAD27 & WIDOT County Coordinate System, Dane County Zone datums in either Auto CAD Version 2001 or older, MicroStation Version J or older or Universal DXF Formats and contain the minimum of the following, each on a separate layer name/level number: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

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

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

Note: City of Madison Environmental Projects staff has reviewed the subject site and determined that a Phase I ESA **will not** be required of the applicant. If there are any changes in the approved land dedications, the applicant shall notify Brynn Bemis (267-1986) to determine if a Phase I ESA will be required.

Note: City Engineering Division permit applications are available online at:
<http://www.cityofmadison.com/engineering/permits.cfm>.

Please contact John Leach, Traffic Engineering Division, at 267-8755 if you have questions about the following four items:

27. 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.
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
Easterly 12 feet of Lot 12	16 & 17	21 & Outlot 1
14 & 15	19 & 20	

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.

Please contact Dennis Cawley, Madison Water Utility, at 261-9243 if you have any questions regarding the following two items:

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

32. 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. The Water Utility will not need to sign off on the final plans, but will need a copy of the approved plans.

Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following two items:

33. Note: The grading plan dated May 19, 2009 appears to provide adequate usable open space on the lots. Some of the lots have limited building envelope areas in order to meet the usable open space requirements. Some additional terracing may be needed on some sites.

34. Provide setbacks for existing residence on proposed CSM Lot 1.

Please contact Tom Maglio, Parks Division, at 266-4711 if you have questions about the following item:

35. The developer will be required to pay fees in lieu of dedication and park development fees for 20 single-family lots (\$62,453.00 if paid in 2009), based on the preliminary plat at the time the final plat is approved. Final park fee totals may vary depending on the year the final plat is approved by the Common Council. Park dedication required for single-family units equals 1,100 square feet per unit. No fees will be required at this time for the recording of the CSM.

Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following item:

36. As required by MGO 10.34 and IFC 505.1, all residential and commercial buildings must have the approved address posted. The address numbers shall be 4 inches in height, numbers shall be in contrast to the background and visible from the street.

Please contact my office at 261-9632 if you have questions about the following three items:

37. That the Certified Survey Map be revised per Planning Division approval prior to final approval for recording as follows:
- a.) clarify that future development of Outlot 1 shall be in accordance with the approved preliminary plat of Hawks Woods Estates;
 - b.) include a note that park impact fees for the additional single-family lots will be payable as part of the approval of the final plat.
38. Further subdivision of Lot 1 of the proposed Certified Survey Map shall not be permitted unless all proposed lots, including the lot containing the existing residence, are served by municipal water and sewer.
39. That the final plat of Hawks Woods Estates be submitted with a tree preservation plan and grading plan identifying areas of land disturbance throughout the subdivision. These plans will be reviewed by the Planning Division to identify areas where existing vegetation may be preserved as part of the implementation of the subdivision. The tree preservation plan shall contain an inventory noting the size and species of existing trees so that opportunities for tree preservation, tree replanting and any protective easements related thereto can be identified and conditioned with the approval of the final plat. A note acknowledging this future final plat condition shall be included on the two-lot CSM as required by the Planning Division.

Please note that the City Real Estate Office is reviewing the report of title provided with this plat and CSM and may have comments. That office will send any comments to you by fax. If you have any questions, please contact Jeff Ekola at 267-8719 for more information.

As soon as the comments and conditions have been satisfied as verified with a completed affidavit form (enclosed), the original along with the revised Certified Survey Map, with all signatures and approvals from the reviewing agencies, shall be brought to this office for final signoff. You or your client may then record the certified survey at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 266-4141.

Upon acceptance and recording of the certified survey map by the Dane County Register of Deeds, please transfer the recorded volume, document number, and page numbers to the copies and forward a copy to this office for our records. The original survey map with the recording information is permanently kept on file in the Dane County Register of Deeds Office. A copy of the recorded document can be obtained from the Register of Deeds Office, Room 110, City-County Building or the Real Estate Office in the Madison Department of Planning and Development.

Any appeal from this action, including the conditions of approval, must be filed with the Circuit Court within thirty (30) days from the date of this letter. The approval of this CSM shall be null and void if not recorded in **two years** from the date of the approving resolution. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Janet Dailey, City Engineering Division
John Leach, Traffic Engineering Division
Dennis Cawley, Madison Water Utility
Tom Maglio, Parks Division
Scott Strassburg, Madison Fire Department
Pat Anderson, Asst. Zoning Administrator
Jeff Ekola, Office of Real Estate Services
Norb Scribner, Dane County Land Records and Regulations