

Memorandum

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To: Rodney Scheel, City of Stoughton Director of Planning and Development
From: Jim Bricker, Senior Planner, JSD Professional Services
Rachel Holloway, JSD Professional Services
Re: Kettle Park West Phase 2 Land Division and Rezoning
JSD Project #: 15-7018
Date: February 26, 2016
cc: Dennis Steinkraus, Forward Development Group

This memo is submitted in response to City staff's preliminary review of the KPW II Preliminary and Final Plat, Certified Survey Map (CSM), and Rezoning proposal, which were outlined in the staff memorandum dated February 5, 2016 and in subsequent conversations with City officials on February 23rd, February 24th, and throughout the past month.

Responses to the staff memorandum are presented in red text in the numbered paragraphs listed below.

After our review and consideration of the comments received to date, we concluded that substantive revisions to the preliminary plat were necessary. A revised preliminary plat, dated 2/26/16, and a revised zoning map are enclosed. The revisions, except for lot numbers, are shown on the prints and dated as "Review Copy" and identified by revision clouds. These revisions include:

- Single-family lots reduced to 40 from 42 lots.
- Previous 5 "townhome" lots changed to 8 duplex lots, 1 multifamily residential lot, and open space.
- The age-restricted housing location (former lot 17) increased to 239,823 sf from 222,499 sf.
- Park area increased to 12.7 acres from 10.3 acres. See discussion re: point #7.
- Park public street frontage increased to 1,469 linear feet from 687 linear feet. See discussion re: point #7.
- The Oak Opening temporary cul-de-sac has been shortened to 600 feet from 684 feet in conformance to City Code.
- Proposed design for Jackson Street shown on the face of the plat.
- Former outlots 1, 2 and 8 added to adjacent lots.

Additional materials to be supplied:

1. Provide written summary of which review agencies the Preliminary Plat has been submitted and when it was provided to them.
 - *The following review agencies were provided with the Preliminary Plat, on the dates indicated:*
 - *AT&T (1/18/16)*
 - *Alliant Energy (1/18/16)*
 - *Charter Communications (1/18/16)*
 - *Stoughton Utilities (1/18/16)*

- *Coordination with the Town of Rutland is in progress; a meeting with Town representatives was held on February 25, 2016. The developer will present information to the Town Board on March 8, 2016 and will present design concepts at the April board meeting for concurrence. The Town suggested the developer contact individual land owners to review the potential impacts on their properties and businesses.*
- *CARPC, WDNR, and Dane County received the Stormwater Management Plan (1/22/16)*
- 2. Written statement indicating how all CARPC Urban Service Area Amendment conditions and recommendations have been addressed with this development proposal such as the field archeological survey, woodland inventory, etc.
 - *Please see attached memo with responses to CARPC's requirements and recommendations.*
- 3. A Traffic Impact Analysis that evaluates the traffic impact on Oak Opening Drive and Deer Point Drive in the Town of Rutland, at the intersection of Roby Rd/Deer Point Drive at USH 51, at the intersection of Jackson Street at Oak Opening Drive and also Jackson Street at USH 51/Hults Road. The analysis should also provide traffic impacts of these locations with and without a connection of Oak Opening Drive at STH 138.
 - *A preliminary TIA analysis was sent to City staff on February 5, 2016, and further analysis is attached. JSD questioned the need for the analysis for the intersection of Jackson Street at Oak Opening Drive due to its internal location and adjoining residential land uses. On February 12, 2016, the City confirmed that analysis of this intersection is not required. JSD's evaluation of the proposed road network and traffic projection indicated additional analysis of the Deer Point Drive/Roby Road/USH15 intersection was needed. This additional analysis was performed and resulted in the conclusions and recommendations in the attached TIA. Additional input from the City, Town of Rutland, and WisDOT will be required to implement the recommendations. The analysis indicates that, due to the change in land uses, the connection of Oak Opening Drive to STH 138 and/or to the north to Deer Point Road are not required for the proper operation of the Jackson Street/USH 51 intersection through the horizon years. Therefore, either connection could be required to provide secondary emergency access to the development.*

Preliminary Plat

1. A Development Agreement is to be prepared and executed prior to the signing of the Final Plat.
 - *OK – The developer understands this requirement.*
2. Zoning is to be approved with boundaries matching platted parcels and become effective upon the recording of the Final Plat.
 - *A revised proposed zoning map is attached.*
3. An agreement with the Town of Rutland is necessary that maintains access from the Final Plat to Oak Opening Road and Deer Point Drive within the Town of Rutland. This agreement must prevent the Town from closing access to or from the Plat to USH 51.
 - *JSD and FDG met with the Town staff on February 25th for initial conversation. The developer will present information to the Town Board on March 8, 2016 and will present design concepts at the April board meeting for concurrence. The Town suggested the developer contact individual land owners to review the potential impacts on their properties and businesses.*
4. Deed restrictions should be put in place on Lot 22 and Lot 23 that prohibits development until Oak Opening Drive is improved to the south and connects to STH 138.
 - *This area within the proposed neighborhood has been modified to encompass 3 duplex lots – 6 units instead of the 27 townhome units originally proposed. We strongly disagree that a building prohibition should be applied to this area, since the preliminary TIA revision indicates that the extension of Oak Opening to STH 138 is not needed until development of the future Phase 3 area (west of the current City boundary and USA) is underway – presumably after 2019(?)*

5. All Special Assessments to be paid prior to signing of the Final Plat. CSM #14059, Lot 8 is proposed to be replatted as part of Lots 16, 17, and 19 in this Plat and has Special Assessments.

➤ *Concur. FDG agrees to this obligation.*

6. A Traffic Impact Analysis (TIA) will need to be evaluated once it is received. The City will need to fully evaluate the TIA prior to acting on the Final Plat and may require revisions or additional conditions to the Plat.

➤ *Please see TIA comments on page 1.*

7. Parkland shall be dedicated as approved by the City. Any fees in lieu of dedication shall be paid prior to signing the Final Plat. Park improvements fees are to be paid prior to issuance of the building permit for each parcel. The Parks & Recreation Director and his committees have had some input on the development of parks for this area. You have been provided some suggestions related to possible changes to the park layout. Materials submitted indicate there may be 494 dwelling units for this plat area. There is some uncertainty (plus or minus) in this estimate but for initial calculations we will use this number.

Based on the information provided, the plat would need to dedicate 16.65 acres for parkland. Outlot 6 is proposed for parkland and is 10.331 acres. Therefore, the City will need to consider whether they feel taking fees in lieu of land dedication is appropriate. If so, the estimated fee in lieu of dedication based on estimates of the units to be built is approximately \$391,308.

Park Improvement fees will also be collected at the time each building permit is issued and based on estimates of the units to be built it will amount to about \$321,606.

➤ *A preliminary park fee calculation worksheet based on the current iteration of the preliminary plat is attached. JSD is preparing a Park Planning Considerations Memorandum addressing items raised by city officials will be sent in the near future.*

8. The developer shall reimburse the City for all expenses for this development, including but not limited to, the plat, zoning, consultants, construction, etc.

➤ *Concur. FDG requests to begin this discussion immediately and conclude this preparation of a development agreement by 3/14/16.*

9. Prior to final plat approval, a letter of credit or other surety acceptable to the City securing construction of improvements and other obligations of the subdivider, shall be provided to the City.

➤ *Concur.*

10. The subdivider shall transmit preliminary plat to all reviewing agencies as required under Chapter 236, Wisconsin Statutes. Please provide written documentation to whom it was sent and when it was sent.

➤ *The plat has not yet been submitted to the DOA. We will provide the requested documentation to the City as soon as possible.*

11. Per Municipal Ordinance 66-303 the preliminary plat shall include a number of items. The following is a list of items that have not been provided as part of your application.

- The location, right-of-way width, and pavement width of adjacent to the plat shall be provided on the plat. The Plat indicates that proposed Oak Opening Drive connects to the north edge of this plat. Please provide details on the dedication and existing improvements of Oak Opening within the town of Rutland as it extends north from this Plat.
- Subsurface soil, rock and water conditions including depth to bedrock and average depth to ground water table. Where a subdivider or condominium developer's subsoil investigation indicates potential for groundwater less than ten-feet from the proposed street centerline elevation, the subdivider or condominium developer shall so note on the face of the plat and indicate the lots affected.

- *Groundwater was not encountered in the six borings performed under the proposed street centerlines for Phase 2. Groundwater investigations in the vicinity of the kettle show the groundwater surface to be 8-15 feet below the kettle pond bottom, which is significantly greater than 10 feet below the street centerlines. Initial groundwater investigations for the "Commercial Center" also support these observations. Investigation by MARS RA indicated that the kettle pond is surface drainage feature and is not hydraulically connected to the aquifers in this location. Geotechnical report and soil mapping are enclosed.*
 - Existing land use and zoning within 300 feet of the proposed subdivision or condominium plat.
 - *Map attached.*
 - Any other information deemed necessary by city staff to assist in the review and evaluation of the preliminary plat. At this time, the list includes the following:
 - a) Traffic impact analysis for development with specific traffic impacts when Oak Opening is not connected to STH 138 versus when it is connected. A separate scenario should evaluate the impact on Oak Opening to the north including the intersection of Roby Road. A traffic model alternative should also be generated that models full build out of this Preliminary Plat and the Commercial Center with only Jackson Street access (No connection of Oak Opening to the north or to STH 138). → *See TIA comments on page 1.*
 - b) The lowest building elevation shall be designated on the Plat to be one foot above the seasonal high water table. The minimum elevation should be depicted on each affected parcel.
 - *JSD has just received the Ordinary High Water Mark determination from WDNR for the kettle pond today. We will incorporate this into the plat, but were not able to do so in time for this submittal.*
12. The construction plans shall be approved by the City prior to recording of the Final Plat. This includes payment of any applicable fees. Construction plans need to provide proposed street trees locations, size and species. Stormwater management will be evaluated as part of the construction plan review. All easements required by the City or Stoughton Utilities as a result of the review of the construction plans will be incorporated into the Final Plat.
- a. The following are initial comments on the preliminary construction plans:
 - b. Dual (at 90 degrees) crosswalk ramps shall be provided on each corner abutting collector streets.
 - c. All sidewalks shall be 6 inches thick through driveways.
 - d. A TYPE III barricade meeting MUTCD standards shall be installed and maintained at the end of each street until such time the street is extended. This includes internal plat phasing and connection streets to future plats.
 - e. All testing reports shall be submitted for compaction, asphaltic pavement, concrete, etc., in a timely manner.
 - f. All permits necessary from the DNR shall be obtained and copies submitted prior to construction.
 - g. A preconstruction conference must be held prior to construction.
 - h. Two (2) sets of as-built plans and quantities with costs are to be submitted to the City 30 days after completion of the project. Electronic copies of all documents will also be required.
 - i. The Department of Land Conservation will need to review the storm water and erosion control elements of this proposal as a consultant to the City. A complete submittal is required for this evaluation. Final plat layout and construction plans shall be modified to the extent needed to address any recommendations here or arising from the stormwater management and erosion control review.

- *Concur. JSD will continue to collaborate and coordinate review of technical design engineering requirements.*

13. Street names will need to be confirmed by the City Council. Street names will need to be investigated for conflict within the City of Stoughton School and Fire Districts.

- *We will incorporate changes as required by City, School, and Fire upon receipt of written comments from the respective agencies.*

14. All City of Stoughton ordinances shall apply to this development.

Acknowledged.

Email from Rodney Scheel (18 February 2016)

Outlots – We need to understand the intent and rationale for the proposed outlots in the Preliminary Plat. The size, frontage, and uses likely cannot meet the requirements for the zoning requested for most of them. Obviously, OL 6 is to be dedicated as a park. We believe several of these outlots should be removed and absorbed into the adjacent parcels. For example, OL 2 creates a parcel with no public access that will not meet the minimum frontage or the minimum lot size in the requested SR-5 zoning district.

Response: The revisions to the preliminary plat addresses this outlot issue by incorporating the majority of the small outlots into the adjacent lots. The one exception is the outlot in the northwest corner which is intended to be integrated into a drainage outlot created in the future phase of the neighborhood located west of the current City boundary.

Cul-de-sac length - Oak Opening Drive south of Wild Senna appears to exceed the maximum cul-de-sac length in 66-706 (600 feet). Developer would need to request Plan Commission approval of an exception to the standard, pursuant to 66-1301.

Response: The ROW dedication for Oak Opening Drive south from the Wild Senna intersection has been shortened to be in conformance with 66-706.

Second Email from Rodney Sheel (18 February 2016)

The concept for Lots 17, 18 and 19 shows a shared driveway along the abutting property lines between Jackson Street and the cul-de-sac. The requested zoning is Institutional for Lot 18 and MR-24 for 18 and 19. The paved setback distance is 5' from the side or rear property line of these districts. In addition, Stoughton Utilities has identified this common property line as an area where easements are necessary for their infrastructure.

Response: the revisions to the preliminary plat address this issue. Lot 19 no longer has access to the Buttercup court cul-de-sac. It is anticipated that there will be a cross circulation between uses on lots 17, 18, and 19 to provide for efficient site development and access to a parking field which would be available to all three parcels. To accommodate this, a drive access easement has been established on lot 18 to the east of the utility easements which straddle the property line. From a site planning perspective this corridor will provide storm drainage, underground utility locations, and the access driveway. We anticipate the width is sufficient to accommodate emergency apparatus, snow storage, and screening/buffer landscaping.

Verbal Comments during staff discussions in February

Double-Frontage lots. The park area and the stormwater/kettle wetland conservancy area could broadly be interpreted as having frontage on multiple streets.

Response: We'll rely on the City's recommendation on the methodology to best accommodate this lotting design and anticipate that it will be handled in similar fashion to other sites within the City (eg, Bjoin Park, East Park, West View Ridge Park, Shefelker Park, Virgin Lake Park, Heggstad Park, Yahara Elementary School, Fox Prairie Elementary School, Stoughton High School, Stoughton Hospital, and Covenant Lutheran Church).

Email from Tom Lynch (23 February 2016)

1. What would the maximum land dedication be if it were taken? I know we have been talking about 10.3 acres and understand that by taking out some of the units to add the parkland, the total goes down.
2. Is it possible to grade the property to accommodate a larger flat park?
3. In this big park idea, he mentioned taking the land dedication for phase three and setting it up to connect to the phase two park, making it even larger.

Response: Item will be addressed in a Park Planning Considerations Memorandum to be sent in the near future.

Preliminary - Subject to review

Stoughton Park Fee Worksheet

Model Updates: 2012, 12/4/2015, 12/8/2015, 12/31/2015, 2/19/2016,2/23/2016,2/26/2016
Scenario Dated: 26-Feb-16

Land Dedication Requirement:	1,468 SF per unit	Section 66-1101
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2015 FEES (to be verified)				Double check current fee structure
	Facilities	Land *	Total	
SFD and Duplex	\$912	\$2,805	\$3,717	
MF (0-1 Bdr)	\$456	\$1,402	\$1,858	
MF (2+ Bdr)	\$684	\$2,104	\$2,788	

* If approved by PC and PkC in lieu of land dedication

KPW 2 Proposed Preliminary Plat Revision (26 February 2016) (New Senior Unit Count, changes to duplex, townhome and apartment lots, changes to OLs dedicated for Park Purpose) CORRECTED DATA

Residential Use Summary *			
	Units	Units by Bedrooms	
		0 to 1	2+
Low Density	40	0	40
Conventional Lots	40	0	40
Moderate Density	34	0	34
Small Lot (Condo)	0	0	0
Duplex	34	0	34
Townhome	0	0	0
High Density	404	267	137
Conventional Multi Unit **	273	136	137
Units in Mixed Use Bldgs			
Specialized	131	131	0
Age Restricted (Market Rate)	101	101	0
(Subsidized)			
Skilled Care Beds	0	0	0
Memory Care Beds	30	30	0
Hospice Care Beds	0	0	0
TOTAL	478	267	211

	Planned (Proposed) Units	Req'd Parkland Area (SF)	
SF	40	58,720	
Duplex	34	49,912	
MF (0-1 Bdr)**	267	391,956	
MF (2+ Bdr)**	137	201,116	
Total	478	701,704	16.1 KPW Required Dedication (acres)

Proposed Dedication *	17.8 Acres
Neighborhood Park	16.0 OL 4 and OL 3
Open Space w/ trail	1.8 Presumes 30 foot wide trail corridor/outlot around kettle (est 2600 LF)
Difference	1.7 Acres

Percent of Req'd Dedication

110.5%

Calculated Fees

Calculated Fees			Land Fee	Adjustment		Total Fees	Net Fee per Unit
Units	Facilities	Fee		Credit % for dedicated land	Sub Total parkland fee		
SF and SFA	74	\$67,488	\$207,570	(\$229,365)	(\$21,795)	\$67,488	\$912
MF (0-1 Bdr)**	267	\$121,752	\$374,334	(\$413,639)	(\$39,305)	\$121,752	\$456
MF (2+ Bdr)**	137	\$93,708	\$288,248	(\$318,514)	(\$30,266)	\$93,708	\$684
	478	\$282,948	\$870,152	→ \$0		\$282,948	

Notes:

- * Projected units and areas are estimates based on info from the KPW Revised Prelim Plat dated 26 February 2016 and proposed conventional zoning and are subject to revision upon interpretation and formulation of the next iteration of project plans
- ** Conventional Apartment Bedroom split presumed to be 50-50 split and is subject to change pending receipt of building plans re: Market Rate apartments, Age Restricted apartments, and memory care/skilled nursing care beds, if any.