



# Misty Valley

## PDD Specific Implementation Plan

February 20, 2007



# MISTY VALLEY SIP - SPECIFIC IMPLEMENTATION PLAN

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## **INTENT**

This Specific Implementation Plan outlines the intended mix of residential land uses and provides the proposed layout for Misty Valley, a new Middleton neighborhood.

## **INTRODUCTION**

Holley Development and Urban Solutions, Inc. are submitting a Specific Implementation Plan that provides the framework for the development of a 53 acre, 281 unit mixed residential neighborhood called Misty Valley. The subject property was recently annexed to the City and is located in the southwest quadrant of the High Road and Greenbriar Road intersection.

The project team includes: Holley Development, developer of Pine Hill Farms, Urban Solutions Inc., developer of Blackhawk Lofts, Knothe Bruce Architects and Mayo Corporation, project planners and civil engineers.

Prior to the annexation of this property in 2005, conceptual plans were reviewed by the City of Middleton Staff, Plan Commission, Public Works Committee, Park Commission, Water Resources Commission, and the Town of Springfield, and found to be compatible with the City's Master Plan, the City's Conservancy Lands Plan 2005, the Northwest Quadrant Plan, and the Town of Springfield Comprehensive Plan. The subject property is located within the urban growth/annexation area jointly recognized by the City of Middleton and the Town of Springfield. The General Implementation Plan and Preliminary Plat were approved in January 2007.

Since 2005, the project team has worked closely with the City's Plan Commission, Staff, and Consultants (Strand, regarding the alignment and scope of the planned Schneider Road extension; Ken Saiki, regarding the master plan update and expansion of Graber Pond Park), and the Dane County Community Analysis and Planning Division (regarding expanding the Urban Service Area) to identify issues and formulate appropriate plans and improvements to facilitate and support the development of this area.

In the course of formulating the plan for Misty Valley and the planning evolutions from the initial concept sketch plans in 2005, to the Specific Implementation Plan, the project team periodically has met with City officials to coordinate progress and share information on various aspects of the project and to gain committee approval.

## **RATIONALE FOR PDD DISTRICT**

Planned Development District (PDD) zoning is proposed for the Misty Valley Neighborhood in order to develop a viable mixed-use residential neighborhood that provides an equitable return to private investors while also creating the variety of housing opportunities desired by the City of Middleton.

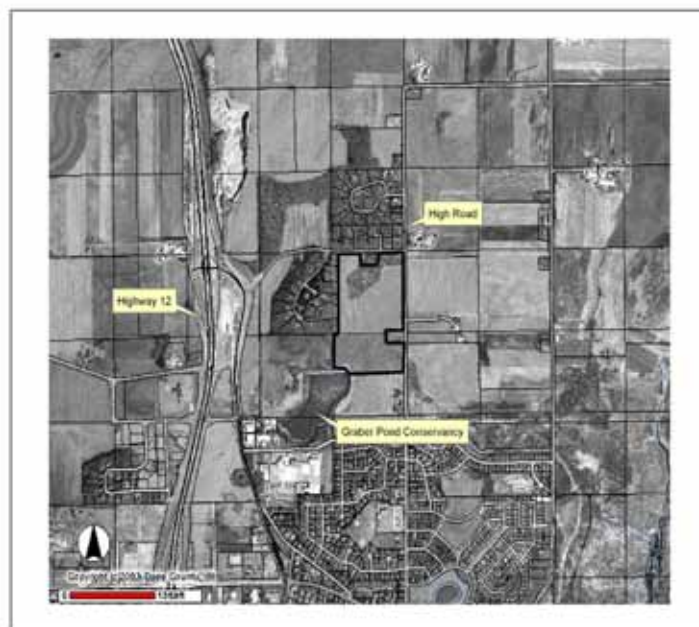
In general terms, the natural features of the subject property and the City's mandates for open space, stormwater management areas (including infiltration), and construction of the Schneider Road extension, make the strict application of the zoning and subdivision ordinance requirements relating to items such as setbacks, minimum lot area, maximum lot coverage, and street pavement widths, a constraint to creating a viable mixed residential neighborhood.

The flexibility afforded through the use of a Planned Development District will facilitate the development of an efficient, pedestrian scale neighborhood that provides a range of housing opportunities, effectively addresses open space and groundwater infiltration goals, and creates a transportation network that smoothly integrates into the City's planned system of streets and bike/pedestrian paths.

## **PROJECT LOCATION**

The property consists of approximately 53 acres located to the Northeast of the Graber Pond Conservancy. Approximately 300 feet of the most southwest corner of the property is adjoining the northwest boundary of the conservancy.

The northern boundary of the property is formed by Greenbriar Road, and High Road forms the eastern boundary. An adjacent single family neighborhood north of Graber Pond forms the western boundary.





The Misty Valley neighborhood is uniquely situated on the northern edge of the City of Middleton. The lands encompassed by the development offer features that are both challenges and opportunities for the City in terms of managing community infrastructure needs such as water, sewer and transportation, and environmental protection. Additionally, these challenges and opportunities include addressing the impacts inherent in a growing community and metropolitan area, like housing, civic facilities and parks and recreation. Planning for this neighborhood focused on finding a suitable balance between these various issues with consideration of both public sector goals and private sector objectives.

The Master Plan for Misty Valley creates a vibrant residential neighborhood with housing opportunities for 281 households, while also increasing the City's open space system by 9.5 acres and extending critical water and transportation infrastructure to accommodate planned future community growth to the north.

When completed, Misty Valley will be home to a variety of housing including modestly sized lots for single family homes, duplexes, townhouses and two to four story, high density residential buildings. As the north side of Middleton grows, this neighborhood will provide pedestrian and bicycle path linkages to parks and commercial areas as well as efficient street connection to commercial, employment and civic locations in both the City and the greater metropolitan area. Map 3 illustrates the Neighborhood Master Plan for Misty Valley.

## **DEVELOPMENT PHASING AND SPECIFIC IMPLEMENTATION PLAN**

Construction of Misty Valley is proposed to commence in the spring of 2007 upon approval of the SIP(s) for the single family and duplex portion of the property (Map areas A, B, C), and portions of the multi-family lots. Initial construction activity will involve grading the entire site and the creation of stormwater management facilities, followed by construction of streets and utilities. Each of the medium and high density residential lots will be subject to the City approval of a future SIP addressing units, architectural design and landscaping.

Tables 1 and 2 in the attachments present statistical data about the proposed Misty Valley neighborhood.

## **PLANNING CONSIDERATIONS**

### **Neighborhood Context**

This property is bounded by the intersection of Greenbriar and High Roads and is within the Phase I Growth Boundary of the City of Middleton Northwest Quadrant Plan. It is also located between two proposed "Neighborhood Live/Work Centers" and will be serviced by the proposed Schneider Road Extension.

Maps 1A, 1B and 2 illustrate various planning considerations relating to Misty Valley and can be found in the attachments.

The recreational trail corridor through Misty Valley will connect from High Road to Graber Pond Conservancy and will be the first segment of a trail linking the Pheasant Branch Conservancy trail system and the new Highway 12 trail.

### **Natural & Cultural Features**

Misty Valley encompasses 53 acres of open land. The majority of the site has been continuously cultivated for many years. The terrain includes a relatively steep slope decreasing from a high point at elevation 926 in the northwest corner of the property to a broad swale across the southerly third of the property. There is no defined channel to this swale and it has been typically cultivated for hay production. The low point of the property is located in the southeasterly corner of the property at the culvert underneath High Road, at elevation 820. The terrain and soils are characteristic of a glaciated hillside. Soils are relatively thin on the slopes and top of the hillside. In the lower portions of the slope and the swale areas, the soils are thicker silty and loamy clays.

The southwesterly corner of the property adjoins Graber Pond Conservancy but none of the property actually drains to Graber Pond. There is a small wetland in the area adjoining Graber Pond that appears to have been created when a dike was constructed by the City to prevent Graber Pond from overflowing into the cultivated fields on the property.

The northwesterly and westerly portions of the City of Middleton encompass areas that were notable Native American and historic Euro-American settlements in this portion of Dane County. Several archeological sites have been reported within a 1.5 kilometer radius around Misty Valley and two minor sites were noted within the Misty Valley property. One of the sites is on a small rise near Graber Pond and the other is along the northwesterly edge of the property. These two sites held evidence of Native American occupation and were investigated by Archeological Consulting Services, Inc in 1992, with the construction of the City's Pheasant Branch Interceptor Sewer, and again in 2006 as part of the planning for Misty Valley. Experts have deemed that neither site is eligible for inclusion on the National Register of Historic Places and that no additional research is recommended.

The site near Graber Pond is included in lands which will be dedicated to the City for conservancy land and will not be disturbed by the development of Misty Valley.

### **Water Resources Management**

Two significant surface water features are located in the vicinity of Misty Valley: Graber Pond, located immediately southwest of the property and Pheasant Branch Spring and Creek, located approximately one-half mile east of the property.

#### ***Graber Pond Conservancy***

A 16 acre kettle pond and wetlands area comprises the majority of an existing 27 acre conservancy and is a unique and desirable open space resource for the City. The City intends to manage the area as a passive recreation facility. None of the land within the Misty Valley property drains to Graber Pond. A recreational trail in Misty Valley will connect the neighborhood to the conservancy.

### ***Pheasant Branch Creek/Pheasant Branch Spring***

Located approximately one-half mile east of the Misty Valley property, this 514 acre habitat conservancy encompasses a significant natural resource for the Metropolitan Area. Pheasant Branch Spring (formerly known as Fredrick Spring) and seeps produce 1800 gallons per minute and support Pheasant Branch Creek, an important water source and fisheries habitat for Lake Mendota. Misty Valley is located within the 23 square mile watershed of Pheasant Branch Creek. Hydrologic modeling studies in 2001, completed by Randall J. Hunt and Jeffrey J. Stuer, indicate that Misty Valley is located within an area that is believed to capture a significant volume of rainfall that recharges the aquifer supporting the springs.

Managing water quality and optimizing stormwater infiltration are critically important design considerations in the Misty Valley plan. Given the site terrain and soils conditions, NR 151 requires infiltrating 90% of the existing runoff for the average annual rainfall. An infiltration basin needed to meet this requirement would need to be 6,000 square feet in area. The City of Middleton requires infiltrating the difference between the proposed and the existing volume of runoff generated by the 1 year, 24 hour rainfall event. The infiltration device needed to meet this requirement must be 25,000 square feet. As such, the infiltration system designed for Misty Valley meets the City of Middleton's requirements and is 4 times larger than the NR 151 requirements for the system.

### **Consistency with City Plans**

#### ***Consistency with NW Quadrant Plan***

In concert with the Town of Springfield, the City of Middleton prepared a general planning guideline for the areas northwest of the developed portions of City in 2005. Referred to as the Northwest Quadrant Plan, this guideline acknowledges the development of residential neighborhoods northerly to Balzer Road and easterly from the new US Highway 12 corridor. The ultimate development boundary is forecast to be Dorn Creek and the future North Mendota Parkway Corridor. Northerly and westerly from this boundary, land uses would remain rural, consistent with the Agricultural Preservation policies of the Town of Springfield. The Northwest Quadrant Plan can be found in the attachments.

The development area is characterized as residential neighborhoods with "Live-Work Centers" located near the intersections of Schneider Road and Old Highway 12/Parmenter Street, Pheasant Branch Road and Balzer Road, and Onken Road and County Trunk Highway Q. Traffic circulation in this area would be supported by a transportation network consisting of Schneider Road extended easterly to Onken Road as a major collector street (to provide an east-west travel corridor across the northerly portion of the City) with north/south linkages to Century Avenue provided by upgraded High Road, Pheasant Branch Road, and CTH Q. The NW Quadrant Plan also illustrates the goal of interconnecting the greenway system between the Graber Pond and Pheasant Branch Conservancies.

The Misty Valley project, as the first development proposal in this area, implements the NW Quadrant Plan by incorporating a segment of the planned Schneider Road extension, preserving and restoring significant open space along the greenway system between Graber Pond and the Pheasant Branch Conservancy, providing rights-of-way for future improvements to Greenbriar and High Roads, and by establishing a mixed use residential neighborhood incorporating a variety of housing opportunities.



### *Schneider Road (extended) Corridor Study*

In 2006, Strand Associates completed a study recommending an alignment for the proposed Schneider Road Corridor extending from the Schneider Road / Old Highway 12 intersection easterly to County Highway Q. This corridor is expected to function as a major east-west collector route for the eventual traffic network serving the growing north side of the City. Three alternate alignments were evaluated in the study. A hybrid of the three alignments was recommended by the Plan Commission and has been incorporated into the Misty Valley Plan.

Schneider Road is foreseen to eventually be a 4 lane boulevard urban street with bike lanes and parking that will be integrated into the fabric of the various neighborhoods that will develop along its route. It is expected to carry significant volumes of traffic but is not intended to bisect the new north side neighborhoods as a concrete barrier nor supplant the necessity of the planned North Mendota Parkway. In order for this street to remain consistent with the plan, it will be important that the street incorporate amenities such as an attractively landscaped boulevard, walkable sidewalks with a comfortable terrace between the sidewalks and curb, and to visually and functionally be part of the neighborhood with front doors and porches both visible and accessible from the street.

The first phase of the Schneider Road extension will be constructed by the Developer and will consist of the travel and parking lanes that are north of the boulevard. After Schneider Road is extended (by others) to connect northerly to Parmenter Street and when warranted by traffic, the City of Middleton will be responsible for the construction of the travel lands south of the boulevard.

### *Graber Road Extension via Ziegler Tract*

Due to its location northeast of Graber Pond Conservancy, and the motivation and situation of the Ziegler Tract immediately to the south of the Misty Valley neighborhood, extension of water and the local street network requires a formal pre-development plan to be formulated with respect to locating the water main and street connections between Misty Valley and the existing facilities located in Graber Road. This water main and street extension/interconnection has been conceptually shown on City plans for many years but has never been planned and engineered with consideration to functionality (developable lots and Graber Pond Conservancy expansion) or practicality (terrain, street grades, and soil conditions). As part of the planning for Misty Valley, a suitable route for the water main and street extension has been selected with the collaboration of City Staff and the property owner. This concept sketch is shown on Map 2 in the attachments.

### *City of Middleton Comprehensive Park and Open Space Plan; Graber Pond Conservancy Expansion*

The Park and Open Space Plan and discussions with the Park Commission indicate that the preferred location for a neighborhood park to serve this part of the community is east of High Road.

The Plan for Graber Pond Conservancy (and the draft of the current update to the Graber Pond Conservancy Plan) indicates the City's goal of expanding the conservancy. The 1987 plan recommended acquiring an additional 200 foot wide area along the northern boundary (1987) and additional lands to the east and west of the conservancy. The conservancy plan draft currently under discussion proposes acquisition of the same area along the northern boundary and more extensive acquisition to the east and west of the conservancy (lands that are not within the Misty Valley property). Graber Park is intended to be a passive recreation area with walking paths and restored

wetland and wet prairie habitats.

Misty Valley incorporates these objectives by dedicating 3.7 acres for conservancy expansion. This park dedication incorporates the larger of the archeological sites noted previously – the small knoll immediately northeast of the pond. This dedication is consistent with the discussions and agreements made with the City during the annexation of this area. See the attached Draft Master Plan provided by Ken Saiki Design.

In addition to the Graber Pond Conservancy dedication, a 0.50 acre mini-park will be located north of Schneider Road, adjacent to Lot 73, as requested by the Middleton Parks, Recreation and Forestry Commission. This mini-park will contain play equipment, seating options and landscaping. Please see the attached Park Master Plan.

## **PUBLIC UTILITIES**

### **Water**

Water service to Misty Valley will be provided by a looped 10 inch main. The main will extend north from the existing hydrant on High Road to Greenbriar Road, and then back through the neighborhood along Graber Road, through the Ziegler property to the existing main at the Graber Road and Lynn Street intersection. This looped main system enables water infrastructure to be extended efficiently in support of developments that may be proposed to the north, south, east and west of Misty Valley. The Public Utilities Map can be found in the attachments.

At the northwest most corner of Misty Valley, the proposed water main system is projected to provide a minimum of 500 gpm at 33.0 psi which exceeds the minimum required by the City standards for fire protection.

### **Sanitary Sewer**

Residential units in Misty Valley will utilize the Pheasant Branch Sanitary Sewer Interceptor, an 18 inch sewer constructed in 1998 to serve this area of the City.

### **Traffic and Transportation**

The plan for Misty Valley incorporates facilities for efficient and safe motor vehicle, bicycle and pedestrian travel. A Traffic Impact Analysis report has been conditionally approved by City Staff. In addition, future bus routes may be located along Schneider and Graber Roads.

### ***Connectivity***

The transportation system layout in Misty Valley provides for connectivity with adjoining lands via future extension and interconnection of streets and the path network. Given the constraints of existing developments, topography and drainage, the following street and intersection locations are proposed.

North: Misty Valley Drive (formerly Graber Road) provides the only access to Greenbriar Road.

The proposed intersection location is the only option due to the steep gradient of Greenbriar Road as it approaches the High Road intersection.

East: The primary access to the east is the Schneider Road intersection per the approved alignment. Schneider Road will continue easterly (and westerly) from Misty Valley. Two secondary street access points to Schneider have been established. Charis Trail (Street D) located 400+ feet south of Greenbriar was created after City Staff prohibited all street access to Schneider Road except for Misty Valley Drive (Graber Road). Caneel Trail (Street E) also connects to High Road, located at the southeasterly corner of the neighborhood. This intersection not only provides secondary access to the neighborhood, but is also the location of the bike path connection to High Road and the future trail extension to the east.

South: Misty Valley Drive (Graber Road) will eventually extend across the Ziegler property to the existing Graber/Lynn Street intersection. The proposed location optimizes grading, utility location and potential future park expansion and development of the Ziegler parcel.

West: The alignment of the Schneider Road extension was determined by the City.

Schneider Road (extended) is the primary element of the street network planned for this area of the City. Schneider Road is proposed to be a 4 lane divided street with striped bike lanes, on-street parking, and 5 foot wide sidewalks.

The duplex units and the medium density residential area (Area E) along the north side of Schneider Road will be served by an alley so there will not be driveways accessing directly onto Schneider Road. Residential Area F & H will have a drive connection to Schneider and Misty Valley Drive (Graber) and High Roads respectively. Residential Area G will have a connection to Misty Valley Drive (Graber Road) only.

Parking is proposed along the northerly side of Schneider Road for several important reasons:

1. It will maintain the visual character of the street as a neighborhood street with an active residential edge.
2. It will provide a traffic calming influence resulting in safer vehicle speeds.
3. It provides more efficient land use since additional pavement is not needed to support residential visitor parking.

The proposed right-of-way (ROW) for Schneider road is 125 feet wide. Sufficient ROW is also being dedicated along the west side of High Road and the south side of Greenbriar Road to accommodate a 100 and 66 foot wide ROW respectively.

Adequate ROW is also proposed to be dedicated to provide for the future development of a roundabout at the Schneider Road/High Road intersection.

Until the extension of Schneider Road is ultimately completed between Parmenter Street and Coun-

ty Highway Q, traffic volumes on this segment of Schneider Road are not anticipated to warrant four travel lanes. Therefore, it is proposed that the initial improvement of Schneider Road include the street improvements located north of the boulevard (sidewalk, parking and travel lanes) and the sidewalk along the southerly right-of-way. When traffic volumes justify the need for the additional travel lanes, the street could be widened. The 125' wide right of way is adequate to accommodate this future widening. See the proposed typical cross-section illustration in the attachments.

### *Sidewalks and Pedestrianways*

Sidewalks will be 5 feet wide and will be constructed on both sides of all streets within the neighborhood.

A pedestrianway will connect from Calla Pass (Street A) to Schneider Road as shown on the Master Plan. This will be a combination of a 5 foot wide concrete sidewalk within a 20 foot easement and a 5 foot wide carriage walk along one side of the alley connection to Calla Pass (Street A) at this location. The pedestrianway passes through the mini-park approved by the PRFC as well. South of Schneider Road, opposite the mini-park, there will be a grass walking trail that will connect to the paved Northwest multi-use trail. This trail connects to Graber Pond Conservancy, which will eventually link the Pheasant Branch Trail System to the Highway 12 multi-use trail.

Pedestrian crosswalks will be placed at four locations within Misty Valley. The locations are as follows:

- Each corner at the intersection of Graber Road and Schneider Roads
- The intersection of the multi-use trail and Graber Road.
- Across Schneider Road at High Road
- Across Schneider Road from the pedestrianway to provide access to the greenspace walking path

## RESIDENTIAL COMPONENTS OF MISTY VALLEY

### Development Guidelines for Residential Lot Development

The gross residential density of Misty Valley is 281/53 acres or 5.3 units per acre. The Planned Development District enable the creative use of smaller lots and moderately higher densities that allow Misty Valley to provide a variety of housing choices. City of Middleton R-1 standards are to be referenced for anything not covered in this document or a future SIP.

#### Single Family Category A lots

Minimum 60 feet wide – no alley.

#### **Building Placement:**

Except for open front steps from a private walkway up to the front door or front porch, or eaves under 3 feet, no portion of the principal building shall encroach into the yards created by the following setback lines:

**Front setback (Build-to Line):** 15 feet from the front lot line to the foundation.

The width of the house on the build-to line must occupy a minimum of 25% of the width of the lot measured along the build-to line. Exception: lots where the front lot line is curved due to street curvature may substitute a straight line passing through the midpoint of and perpendicular to the Medial Ordinate of the curved build-to line.



**Side setback:** 8 feet from the lot line, exceptions apply for narrow lots (please see Attachment)

**Street side setback (corner lots):** 15 feet

**Rear setback:** 25 feet

#### **Garage doors**

The face of the garage door(s) shall be set back no less than 20 feet from any side or rear property line and shall be no less than 17 feet back from the front property line. The garage door must be offset a minimum of 2 feet from the front of the house if the garage is front loading, unless the lot is sloping from back to front based on the final grading plan.

#### **Accessory structures**

No accessory structures (attached or detached decks, patios, sports courts, detached garages, storage sheds, swimming pools, play structures which are anchored into the ground, dog runs, etc) are permitted within the front, side, and street side yards created by the setbacks. Accessory structures shall be set back no less than 5 feet from the rear lot line.



**Maximum Impervious Surface : 50% of lot area**

Impervious surface includes the horizontal roof area of the house and all impervious surfaces that are not under the roof such as the driveway, walks, decks, patios, swimming pools, storage sheds, and sports courts.

**Corner Lots**

Clear vision area. An area of unobstructed view must be maintained across the corner of lots that adjoin street intersections. This clear vision area is a triangle is delineated by a line connecting points 15 feet from the lot corner and extending to the curb of the adjoining streets. No buildings or fences are permitted within the clear vision area. Grading and landscaping installed within the area must be placed so that the view between the intersecting streets is not obstructed and landscaping within the area shall be maintained to not exceed a height of 30 inches above the curb elevation of each street.

**Single Family Category B Lots**

50 to 60 feet wide with alley access.

**Building Placement:**

Except for open front steps from a private walkway up to the front door or front porch, or eaves less than 3 feet, no portion of the principle building shall encroach into the yards created by the following setback lines:

**Front setback (Build-to Line):** 15 feet from the front lot line to the foundation. The width of the house on the build-to line must occupy a minimum of 25% of the width of the lot measured along the build-to line. Exception: lots where the front lot line is curved due to street curvature may substitute a straight line passing through the midpoint of and perpendicular to the Medial Ordinate of the curved build-to line.



**Side setback:** 8 feet from the lot line

**Street side setback (corner lots):** 15 feet

**Rear setback:** 25 feet

**Garage doors**

If the garage is detached, the face of the garage door(s) shall be set back no less than 8 feet from the rear property line. Along the alley, the garage is also subject to a 25 foot setback from utility pedestal and transformer locations if any openings (doors or windows) face the utility boxes.

### **Accessory structures**

No accessory structures (attached or detached decks, patios, sports courts, detached garages, storage sheds, swimming pools, play structures which are anchored into the ground, dog runs, etc) are permitted within the front, side, and street side yards created by the setbacks. Accessory structures shall be set back no less than 5 feet from the rear lot line. Along the alley, accessory structures are also subject to a 25 foot setback from utility pedestal and transformer locations.

### **Maximum Impervious Surface:** 50% of lot area

Impervious surface includes the horizontal roof area of the house and all impervious surfaces that are not under the roof such as the driveway, walks, decks, patios, swimming pools, storage sheds, and sports courts.

### **Corner Lots**

Clear vision area. An area of unobstructed view must be maintained across the corner of lots that adjoin street intersections. This clear vision area is a triangle is delineated by a line connecting points 15 feet from the lot corner and extending to the curb of the adjoining streets. No buildings or fences are permitted within the clear vision area. Grading and landscaping installed within the area must be placed so that the view between the intersecting streets is not obstructed and landscaping within the area shall be maintained to not exceed a height of 30 inches above the curb elevation of each street.

### **Duplexes - Category C Lots**

**Building Placement:** Except for open front steps from a private walkway up to the front door or front porch, or eaves less than 3 feet, no portion of the principle building shall encroach into the yards created by the following setback lines.

**Front setback (Build-to Line):** 15 feet from the front lot line to the foundation.

The width of the duplex on the build-to line must occupy a minimum of 25% of the width of the lot measured along the build-to line. Exception: lots where the front lot line is curved due to street curvature may substitute a straight line passing through the midpoint of and perpendicular to the Medial Ordinate of the curved build-to line.



**Side setback:** 8 feet from the lot line

**Street side setback (corner lots):** 15 feet

**Rear setback:** 25 feet

### **Garage doors**

If the garage is detached, the face of the garage door(s) shall be set back no less than 8 feet from the rear property line. Along the alley, the garage is also subject to a 25 foot setback from utility pedestal and transformer locations if any openings (doors or windows) face the utility boxes.

### **Accessory Structures**

No accessory structures (attached or detached decks, patios, sports courts, detached garages, storage sheds, swimming pools, play structures which are anchored into the ground, dog runs, etc) are permitted within the front, side, and street side yards created by the setbacks. Accessory structures shall be set back no less than 5 feet from the rear lot line. Along the alley, accessory structures are also subject to a 25 foot setback from utility pedestal and transformer locations.

### **Maximum Impervious Surface:** 50% of lot area

Impervious surface includes the horizontal roof area of the house and all impervious surfaces that are not under the roof such as the driveway, walks, decks, patios, swimming pools, storage sheds, and sports courts.

### **Corner Lots**

Clear vision area. An area of unobstructed view must be maintained across the corner of lots that adjoin street intersections. This clear vision area is a triangle is delineated by a line connecting points 15 feet from the lot corner and extending to the curb of the adjoining streets. No buildings or fences are permitted within the clear vision area. Grading and landscaping installed within the area must be placed so that the view between the intersecting streets is not obstructed and landscaping within the area shall be maintained to not exceed a height of 30 inches above the curb elevation of each street.

### **Medium and High Density Residential - Category D, E Lots**

#### **Building Placement:**

No encroachment of any portion of the building (eaves or balconies) is allowed into the setback areas. There is a 20' setback from any property line that adjoins a residential single family or duplex lot.

### **Accessory Structures**

No accessory structures (attached or detached decks, patios, sports courts, detached garages, storage sheds, swimming pools, play structures which are anchored into the ground, dog runs, etc) are permitted within the front, side, and street side yards created by the setbacks. Accessory structures shall be set back no less than 5 feet from the rear lot line. Visitor parking areas shall be set back no less than 5 feet from any lot line and 10 feet from principal structures.

### **Maximum Impervious Surface:** 65% of lot area

Impervious surface includes the horizontal roof area of the building and all impervious surfaces that are not under the roof such as the driveway, walks, decks, patios, swimming pools, storage sheds, and sports courts.

### **Medium and High Density Residential - Category F, G, H Lots**

#### **Building Placement:**

No encroachment of any portion of the building (eaves or balconies) is allowed into the setback areas.

**Front setback (Build-to Line):** to be determined at the time of SIP approval for the multi-family lots

**Side setback:** to be determined at the time of SIP approval for the multi-family lots

**Rear setback:** to be determined at the time of SIP approval for the multi-family lots

#### **Accessory structures**

No accessory structures (attached or detached decks, patios, sports courts, detached garages, storage sheds, swimming pools, play structures which are anchored into the ground, dog runs, etc) are permitted within the front, side, and street side yards created by the setbacks. Accessory structures shall be set back no less than 5 feet from the rear lot line. Visitor parking areas shall be set back no less than 5 feet from any lot line and 10 feet from principal structures.

#### **Maximum Impervious Surface:** 65% of lot area

Impervious surface includes the horizontal roof area of the building and all impervious surfaces that are not under the roof such as the driveway, walks, decks, patios, swimming pools, storage sheds, and sports courts.

#### **GENERAL LANDSCAPE PLAN**

The landscape plan will be in accordance with City of Middleton Standards and Ordinances. Street trees will be planted in the time and manner determined by the City. Please see the attached Street Tree Landscape Plan.

#### **High & Greenbriar Road Buffer**

A landscape buffer is provided along both High and Greenbriar Roads to provide residents with some privacy and screening. A mix of evergreen and ornamental shrubs and trees will be used to provide aesthetic interest to the neighborhood. Please see the attached Landscape Plan.

#### **Plant List**

All species used will be in accordance with City of Middleton Standards and Ordinances. See Landscape Covenants below.

#### **OPEN SPACE AND STORMWATER MANAGEMENT RESTORATION PLAN**

The stormwater management areas will be seeded with a Prairie Nursery's (Westfield WI) "Detention Basin Wet Prairie Mix" or equivalent at a rate of 4 oz. per 1000 square feet. Annual Ryegrass shall be added to the mixtures at a rate of 1.5 lbs per 1000 square feet. Further information can be found in the Stormwater Management Report for Preliminary Plan Submittal, November 2, 2006.

#### **GRABER POND CONSERVANCY DEDICATION AND RESTORATION**

A dedication of 3.7 acres to the Graber Pond Conservancy will occur with the creation of the Misty Valley Neighborhood. This acreage includes the knoll mentioned previously and will allow for direct pedestrian/bicycle access to the conservancy from the neighborhood via the neighborhood trail system.

## **SIGNAGE**

Any neighborhood signage will be in accordance with City of Middleton Standard Specifications and Ordinances.

## **STREET LIGHTS**

Street lights will be in accordance with City of Middleton Standard Specifications and Ordinances, and use 'cut-off' fixtures.

## **LANDSCAPE COVENANTS AND RESTRICTIONS**

### **Establishment**

Landscaping must be completed within three (3) months of the issuance of the occupancy permit, weather permitting. If occupancy is established during winter, landscape should be installed no later than June 1st of following year.

Landscape plantings and maintenance of the premises shall be the responsibility of the lot owner.

Landscape maintenance of the right-of way shall be the responsibility of the Lot Owner. Any trees or shrubs which die shall be removed by the Owner and replaced with a similar size and variety as the original plant at the time of planting, so as to maintain the original landscaping elements.

All lots are required to plant 200 points worth of plants for foundation screenings, four plants of which must be evergreen shrubs. In addition, two ornamental trees, two shade trees and two evergreen trees per lot are required. See below for approved plant lists and details.

### **Required Seeding**

All lot Owners are required to sod the front and side yards. Lot Owners may seed the backyard.

### **Design Standards**

#### ***Foundation Screening***

All lots are required to have significant foundation screening around all sides of the homes. Plants should incorporate perennials, native grasses, and evergreens and provide year-round interest.



Lot Owners are required to incorporate at least 4 evergreen shrubs into the foundation landscaping. The foundation plan for each lot shall receive a minimum of 200 points as determined by the point system below.

Plant	Installed Size	Point System
Small Ornamental Tree	5' Ht. or 1 ½" Cal.	25
Deciduous Shrub	2 Gal.	5
Deciduous Shrub	3 Gal. or 3' Ht.	10
Deciduous Shrub	5 Gal. or 4' Ht.	15
Evergreen Shrub	2 Gal.	5
Evergreen Shrub	3 Gal. or 24" Ht.	10
Evergreen Shrub	5 Gal. or 3' Ht.	15
Perennial	½ Gal	3

### *Deciduous and Evergreen Shrubs*

The following species are acceptable shrubs for lot landscaping/foundation plantings.

Abies spp.	Fir
Amelanchier spp.	Serviceberry
Arborvitae spp.	Arborvitae
Aronia spp.	Chokeberry
Buxus spp.	Boxwood
Callicarpa dichotoma	Beautybush
Caragana arborescens	Siberian Peashrub
Chaenomeles speciosa	Flowering Quince
Chamaecyparis spp.	False Cypress
Clethra alnifolia	Summersweet Clethra
Comptonia peregrina	Sweetfern
Cornus spp.	Dogwood
Corylus americana	American Filbert
Cotinus coggygria	Smokebush
Cotoneaster spp.	Cotoneaster
Diervilla lonicera	Dwarfbush Honeysuckle
Euonymous fortunei	Wintercreeper
Forsythia spp.	Forsythia
Fothergilla spp.	Fothergilla
Genitsia tinctoria	Woodwaxen
Hamamelis vernalis	Witchhazel
Hibiscus spp.	Hibiscus
Hydrangea spp.	Hydrangea
Hypericum spp.	St. John's Wort
Illex spp.	Holly
Juniperus spp.	Juniper
Klamia latifolia	Mountain-laurel
Larix spp. (shrub form)	Larch
Lespedeza bicolor	Bushclover
Ligustrum spp.	Privet
Microbiota decussata	Russian Cypress
Myrica spp.	Bayberry
Philadelphus spp.	Mockorange
Physocarpus spp.	Ninebark
Picea spp.	Spruce
Pieris spp.	Pieris
Pinus spp.	Pine
Potentilla spp.	Potentilla
Prunus spp.	Plum
Rhododendron spp.	Rhododendron
Ribes alpinum	Alpine Currant
Rosa spp. (except multiflora)	Rose
Sambucus spp.	Elderberry
Spirea spp.	Spirea
Stephenandra spp.	Stephenandra
Symphoricarpus spp.	Snowberry
Syringa spp.	Lilac
Taxus spp.	Yew
Tsuga canadensis	Canadian Hemlock
Viburnum spp.	Viburnum
Weigela spp.	Weigela
Yucca filementosa	Yucca

## Ornamental Trees:

At least 2 ornamental trees (1.5" minimum caliper) must be located on the lot. The following species are acceptable ornamental trees.

Acer ginnala	Amur maple
Acer palmatum	Japanese maple
Acer triflorum	Three flowered maple
Acer tartaricum	Hedge Maple
Amelanchier alnifolia	Saskatoon Serviceberry
* Amelanchier x grandiflora	Serviceberry
* Amelanchier laevis	Allegheny Serviceberry
* Betula alleghaniensis	Yellow Birch
* Betula nigra	River Birch
* Betula papyrifera	Paper Birch
Betula populifolia 'Whitespire'	Whitespire Birch
* Carpinus caroliniana	American Hornbeam
Cercis Canadensis	Eastern Redbud
Corylus colurna	Turkish Hazelnut
* Cornus alternifolia	Pagoda Dogwood
Crataegus crusgalli var. inermis	Thornless Hawthorn
* Crataegus mollis	Downy Hawthorn
Crataegus phaenopyrum	Washington Hawthorn
Crataegus viridis	Green Hawthorn
Hamamelis virginiana	Common Witchhazel
* Malus ionensis	Prairie Crabapple
Malus spp.	Crabapple
Magnolia stellata	Star Magnolia
Magnolia x soulangiana	Saucer Magnolia
* Ostrya virginiana	American Hophornbeam
Prunus maackia	Amur chokecherry
Prunus nigra	Canadian plum
* Prunus serotina	Black Cherry
Prunus triloba	Flowering Almond
Pyrus calleryana	Callery Pear
Sorbus aucuparia	Mountain Ash
* Sorbus decora	Showy Mountain Ash
Syringa reticulata	Japanese Tree Lilac

\* denotes native species

# Shade Trees:

At least 2 shade trees (1½” min. caliper) are required on the lot. Required trees may be reduced if there are existing healthy, non-weed trees on site. The following species are recommended shade trees. Native species are designated with a star notation.

* <i>Acer rubrum</i>	Red Maple
* <i>Acer x freemanii</i>	Freeman’s Maple
* <i>Acer saccharum</i>	Sugar Maple
* <i>Carya cordiformis</i>	Bitternut Hickory
* <i>Carya ovata</i>	Shagbark Hickory
* <i>Celtis occidentalis</i>	Common Hackberry
* <i>Fraxinus americana</i>	White Ash
* <i>Fraxinus pennsylvanica</i>	Green Ash
* <i>Gleditsia triacanthos</i> var. <i>inermis</i>	Thornless Honeylocust
<i>Ginkgo biloba</i> (male)	Ginkgo
* <i>Populus tremuloides</i>	Quaking Aspen
* <i>Quercus alba</i>	White Oak
* <i>Quercus bicolor</i>	Swamp White Oak
* <i>Quercus macrocarpa</i>	Bur Oak
* <i>Quercus muehlenbergii</i>	Chinkapin Oak
<i>Quercus palustris</i>	Pin Oak
<i>Quercus robur</i>	English Oak
* <i>Quercus rubra</i>	Red Oak
* <i>Tilia americana</i>	Basswood
<i>Tilia cordata</i>	Littleleaf Linden
<i>Tilia tomentosa</i>	Silver Linden
<i>Ulmus</i> x ‘New Horizon’	New Horizon Elm
<i>Ulmus</i> x ‘Regal’	Regal Elm

Small Evergreen Trees:

At least two smaller evergreen trees of the following species are required on the lot (installed at minimum 4' ht.)

Abies concolor 'Candicans'	Abies concolor 'Candicans'
Abies nordmanniana	Caucasian Fir
Juniperus chinensis 'Ames'	Ames Juniper
Juniperus chinensis 'Iowa'	Iowa Juniper
Juniperus chinensis 'Mountbatten'	Mountbatten Juniper
Juniperus scopularum 'Moonglow'	Moonglow Juniper
Juniperus virginiana 'Hillii'	Dundee Juniper
Pinus ayacahuite 'Forest Sky'	Mexican White Pine
Pinus cembra	Swiss Stone Pine
Pinus contorta 'Taylor's Sunburst'	Taylor's Sunburst Lodgepole Pine
Pinus flexilis 'Vanderwolf'	Pyramid Lumber Pine
Pinus nigra 'Oregon Green'	Oregon Green Austrian Pine
Picea pungens 'Fat Albert'	Fat Albert Colorado Blue Spruce
Picea pungens 'Hoopsii'	Hoopsii Colorado Blue Spruce
Picea orientalis 'Aureospicata'	Aureospicata Oriental Spruce
Taxus cuspidata 'Capitata'	Capitata Japanese Yew
Thuja occidentalis 'Brandon'	Brandon Arborvitae
Thuja occidentalis 'Gold Cargo'	Gold Cargo Arborvitae
Thuja occidentalis 'Holmstrup'	Holmstrup Arborvitae
Thuja occidentalis 'Nigra'	Dark Green Arborvitae
Thuja occidentalis 'Pyramidalis'	Pyramidal Arborviate
Thuja occidentalis 'Smaragd'	Emerald Green Arborvitae
Thuja occidentalis 'Techny'	Techny Arborvitae
Thuja occidentalis 'Wareana'	Wareana Arborvitae



## **CONDITIONS, COVENANTS AND RESTRICTIONS**

### **Land Use and Building Type**

The Lots contained within the Property shall be used for the purposes of Single Family or Multi-Family Residential. With respect to these lots, no building shall be erected, altered, placed or permitted to remain on any such Lot other than one detached single family dwelling unit not to exceed 2.5 stories in height or a duplex dwelling unit. Each single family dwelling unit located on a Single Family Residential Lot shall have a private garage of two (2) cars attached to or located in a lower level of the dwelling unit for those lots that are not alley fed. The size of a dwelling unit to be constructed on Single Family Residential Lots shall not be less than the minimum size of 1200 square feet for a ranch and 1600 square feet for a two story building. All construction on a Lot must be completed within nine (9) months from issuance of building permit except for construction items, such as landscaping, which may be delayed due to weather. When vacant, all Lots shall be maintained in a neat and clean manner, free of refuse and noxious weeds, and regularly mowed.

### **Architectural Control**

No building shall be erected, placed or altered on any Lot until the construction plans and specifications and a plan showing the location of the structure have been approved by a majority of the Architectural Control Committee (the "Committee") as to quality of workmanship and materials, harmony of external design with existing structures, and location with respect to topography and finish grade elevation. There shall be a variation in building elevations on adjacent lots. Approval shall be as provided below. The dimensions of front, side and rear yards shall be as required under applicable zoning codes.

### **Dwellings And Landscaping**

The landscaping to be installed on all Lots must meet or exceed the landscaping requirements set forth in the Specific Implementation Plan. The structure and the minimum landscaping requirements shall be fully completed within three (3) months after issuance of a occupancy permit, weather permitting. If occupancy is established during winter, landscape should be installed no later than June 1st of following year. All driveways shall be of concrete and shall be installed within nine (9) months after substantial completion of the structure. No outbuilding or accessory building of any nature shall be erected on any Lot. No above-ground swimming pools shall be permitted. A family garden may be located within the rear yard provided it does not exceed 5% of the total Lot size and is maintained in a clean and orderly condition.

Natural and prairie lawns are permitted in rear yards only. Rear yards may be planted with grass seed or sodded. All front and side yards shall be sodded. All landscaping and yards shall be maintained on a regular seasonal basis, including regular lawn mowing during the lawn growing season. Maintenance of all improvements on a Lot is the responsibility of the Owner. Maintenance shall include, but not be limited to, watering, pruning and routine fertilizing and mulching of all plantings and plant beds, replacement of dead, dying and/or diseased trees and shrubs, prompt removal of weeds, trash and debris from plant beds and areas adjacent to shrubs and trees so as to keep said landscaping and lawn areas in a healthy, attractive, neat and clean condition.

An Owner may, with the advance written consent of the Committee, install a natural prairie lawn

in the rear yard or a rain garden ("Prairie Lawns" and "Rain Garden" respectively), subject to any conditions imposed upon the same by the Committee, compliance with all rules, regulations and ordinances of the City of Middleton, and the following conditions. Prairie Lawns shall not exceed five (5') feet in height. Prairie Lawns shall be a mixture of prairie grass and prairie flowers, regularly maintained by the Owner so as to minimize weeds and other unsightly conditions. Prairie Lawns shall be planted and maintained in accordance with sound landscape maintenance practices. The Committee reserves the right to require Owners to remove Prairie Lawns that are not properly maintained or which become unsightly and detrimental to the neighborhood.

Rain Gardens may be installed by Owners as a bio-retention system dealing with rain water runoff from paved areas and other impervious surfaces, in accordance with plans approved by the City of Middleton Engineer, if such approval is required by the City of Middleton, and by the Committee. The Owner shall maintain records of installation, inspections, cleaning and other maintenance. Visual inspection of the Rain Garden system shall be performed, at a minimum, annually. Maintenance shall be required when the system shows standing water beyond 72 hours of the rain event. Maintenance shall consist of removal of sediment, two (2') foot undercut, undercut replacement with material consisting of one-third topsoil, one-third compost, and one-third sand, and restoration in kind. Restoration of plant material shall be by plugging, not seeding alone. Any alterations to an approved Rain Garden shall be approved by the City Engineer (if required by the City of Middleton) and the Committee. The Committee reserves the right to require an Owner to remove any Rain Garden that is not being properly operated and maintained by the Owner in accordance with this Declaration and the Middleton Ordinances.

The Committee reserves the right to adopt further rules and regulations regarding Prairie Lawns and Rain Gardens as future circumstances require.

If the Owner of any Lot, after reasonable notice, fails or refuses to install landscaping as described herein, or maintain it as required above, the Committee, or the Association, as the case may be, through its duly authorized agents or employees, shall have the right to enter upon said Lot at reasonable hours to perform said landscaping and/or maintenance. The costs of the materials and labor to perform such landscaping and/or maintenance shall be assessed against said Lot, which assessment may be foreclosed or collected in accordance.

### **Vehicle and/or Equipment Storage**

No inoperable, dilapidated or junk vehicles of any nature may be kept upon any Lot except in a fully enclosed garage. The exterior storage of boats, trailers, travel trailers, campers, motorcycles, recreational vehicles, automobiles or trucks (collectively, without limitation by reason of enumeration "Equipment"), of any nature is prohibited whether or not screened from public view. No Equipment shall be parked or stored on lawns. The temporary storage of Equipment in a drive area for the purpose of loading or unloading for a period not to exceed twelve (12) hours is permitted. No commercial vehicles, including trucks, semi-trailers or trailers, may be stored or parked overnight on or in front of said Lots except in an enclosed garage.

### **Construction On Adjoining Lots**

Nothing contained herein shall be construed to prohibit the construction of a residential dwelling

or private garage partially on one Lot and partially on an adjoining Lot without regard to side yards between adjoining Lots, provided that all such Lots are owned by the same person or persons.

### **Easements/Drainage**

No structure, planting, or other materials shall be placed or permitted to remain within any easement of record which may damage or interfere with the installation and maintenance of utilities, or which may change the direction or flow of drainage channels in the easement, or which may obstruct or retard the flow of water through drainage channels in the easement. The easement area of each Lot, if any, and all improvements located therein, shall be maintained continuously by the owner of the Lot, except for those improvements for which a public authority or utility company is responsible. No drainage swale shall be graded or obstructed so as to impede the flow of water from other Lots or outlots through such swale.

### **Nuisances**

No noxious or offensive activity shall be carried on upon any Lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood or which may have a detrimental effect on the value of other Lots and/or improvements.

### **Temporary Structures**

No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any Lot at any time as a residence or for any other purpose, either temporarily or permanently.

Developer shall be permitted to maintain a sales trailer on the Development to be used in connection with the sale and marketing of Lots in the Development.

Temporary construction trailers may be maintained on Lots in the Development for use by contractors in connection with Construction on such Lots provided said trailers be promptly removed after they are no longer needed for such purposes.

### **Signs**

No sign of any kind shall be displayed to the public view on any Lot except as approved by the Architectural Control Committee. Signs without regard to size used by the Developer, to advertise the property during the construction and sales period or to identify the subdivision and/or its Developer are permitted without such approval so long as Developer owns any part of the Property. Notwithstanding the foregoing, for sale signs advertising that the real property on which the sign is located is for sale shall be permitted provided that the size and type of sign utilized by the Owner of said Property is in conformance with normal and typical real estate sales industry practices.

### **Animals**

No animals, livestock or poultry of any kind shall be raised, bred or kept on any Lot, with the exception of up to three (3) dogs, cats or other domestic household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose. No exterior animal enclosure, house, pen or similar device shall be permitted.

### **Garbage And Refuse Disposal**

No Lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. No incinerators shall be permitted. Other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. No trash, building materials, debris, leaves, lawn clippings, rocks or earth shall be placed in any Lot.

### **Fences**

No fences over four (4') feet in height from ground to uppermost part of fence shall ever be permitted (with the exception of compliance with local ordinances with respect to enclosing private swimming pool areas) unless such fences are approved by the Committee or its designated approving authority. All fences shall be constructed of wood only. All permitted fences shall be first approved in terms of material and location by the Committee. Fencing is permitted with the prior written approval of the Committee which may require the installation and maintenance of landscape materials for screening and aesthetic purposes.

### **Outbuildings**

No outbuilding or accessory building of any nature shall be erected on any Lot.

### **Antennae/Wind Powered Electric Generators**

No wind powered electric generators, exterior television, radio receiving or transmission antennae or flagpoles shall be placed or maintained upon any portion of a Lot without prior written approval of the Committee.

### **Firewood Storage**

No firewood or wood pile shall be kept outside a structure unless it is neatly stacked, placed on a non-street side yard or rear yard and screened from street or neighbor view by plantings or a fence approved by the Committee.

### **Solar Collectors**

No active solar collector or apparatus may be installed on any Lot unless such installation is first approved in writing by the Committee which shall consider the aesthetic and sun reflection effects on neighboring structures. Solar collectors or apparatus installed flat against or parallel to the plane of the roof shall be preferred.

### **Lighting**

Exterior lighting installed on any Lot shall either be indirect or of such controlled focus and intensity that such lighting will not disturb the residents of adjacent Lots. Cut-off light fixtures of average maintained foot candles are recommended.

### **Mailboxes**

Standard mailbox and post.

### **Professional or Business Offices**

An Owner may use the single family residential home constructed on a Lot for a professional or business office when such office is incidental to the principal use as a single family residence, is less than

three hundred (300) gross square feet in area, the business is conducted without an identification sign or label displayed on the Lot or building and the business is conducted without any outside employees. Any professional or business office or use on a Lot which does not comply with the foregoing conditions is prohibited.

### **Street Trees**

Street trees will be planted by the City of Middleton and specially assessed to the Owner of the Lot on which the street tree has been planted.

### **Swimming Pools**

Above ground swimming pools are prohibited.

### **Subdivisions**

No Lot may be further subdivided, without the advance written consent of the Committee and City of Middleton approval.

## **ARCHITECTURAL CONTROL COMMITTEE**

### **Membership**

From time-to-time hereafter, Developer shall appoint the members of the Committee who initially, during the term of Developer's control of the Association, may be employees or other affiliates of Developer, or third parties with an interest in and skill related to the work of the Committee, including and architect, engineer or other person with specialized knowledge that will be of assistance to the Committee and the performance of its duties.



## **ATTACHMENTS**

Regional Context Map 1-A

Regional Context Map 1-B

Planning Considerations Map 2

Neighborhood Master Plan Map 3

Misty Valley PDD GIP Statistical Summary and Land Use Development Parameters Table 1

Misty Valley PDD GIP Estimated Population and Students at Project Buildout Table 2

Northwest Quadrant Master Plan

Graber Pond Master Plan Draft

Misty Valley Mini-Park Draft Master Plan

General Utility Plan

Schneider Road Typical Cross Sections

Typical Multi-Use Path Cross Sections

Side Setback Map

Typical Berm Planting Plan for Schneider and High Roads

Preliminary Plat











# Misty Valley

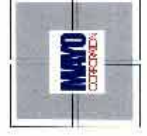
Planned Development District  
General Implementation Plan

Map 1 A

## Regional Context Map

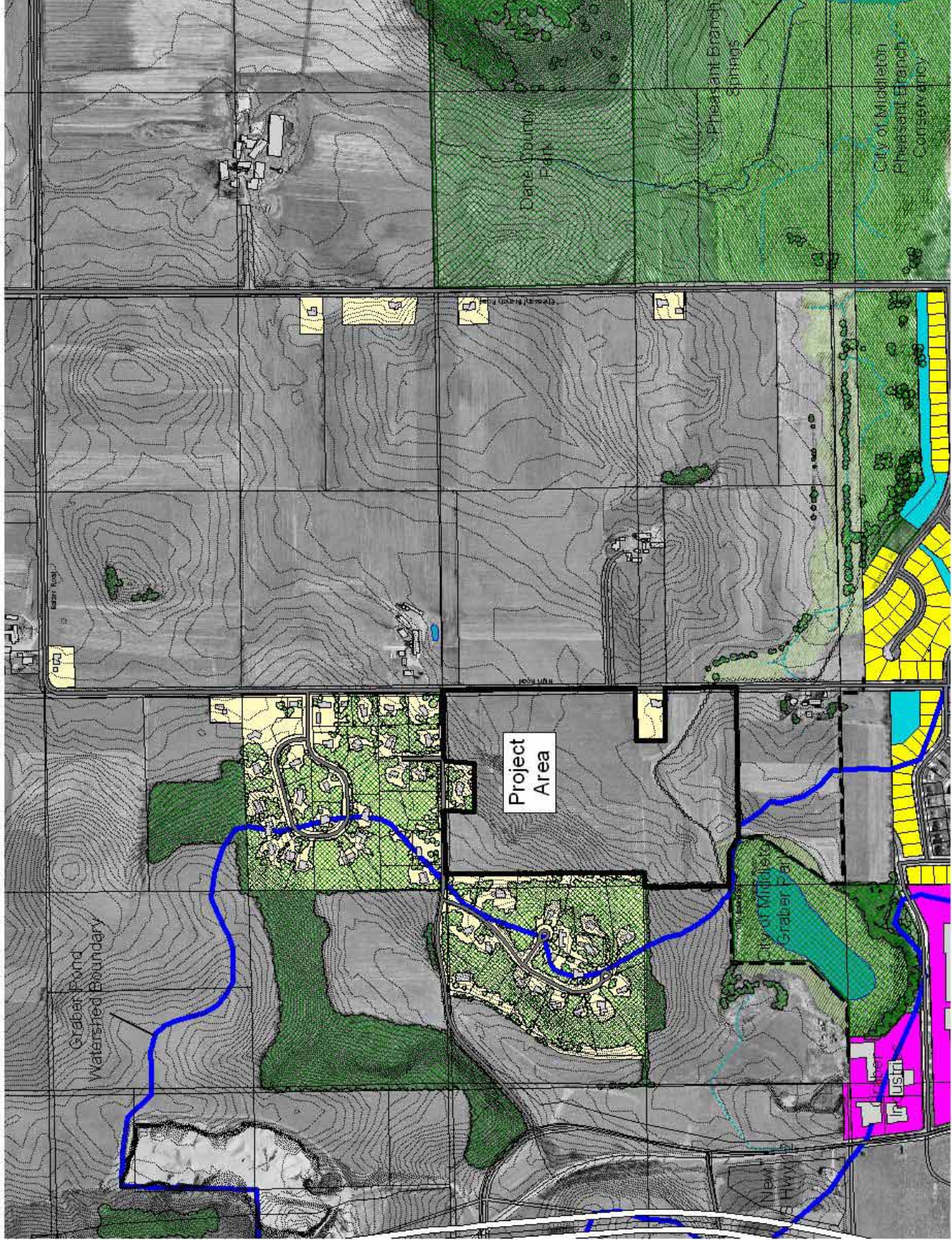
### Legend

Neighboring Land Uses	
	Rural Residential
	Residential
	Commercial
	Industrial
	Conservancy
	Park
	Stormwater
	Agricultural



Map 1A  
November 10, 2009

Map 1A  
November 10, 2009  
6000 Canyon Blvd  
Suite 100, N100 E  
900833-0009  
info@usurban.com





# Misty Valley

Planned Development District  
General Implementation Plan

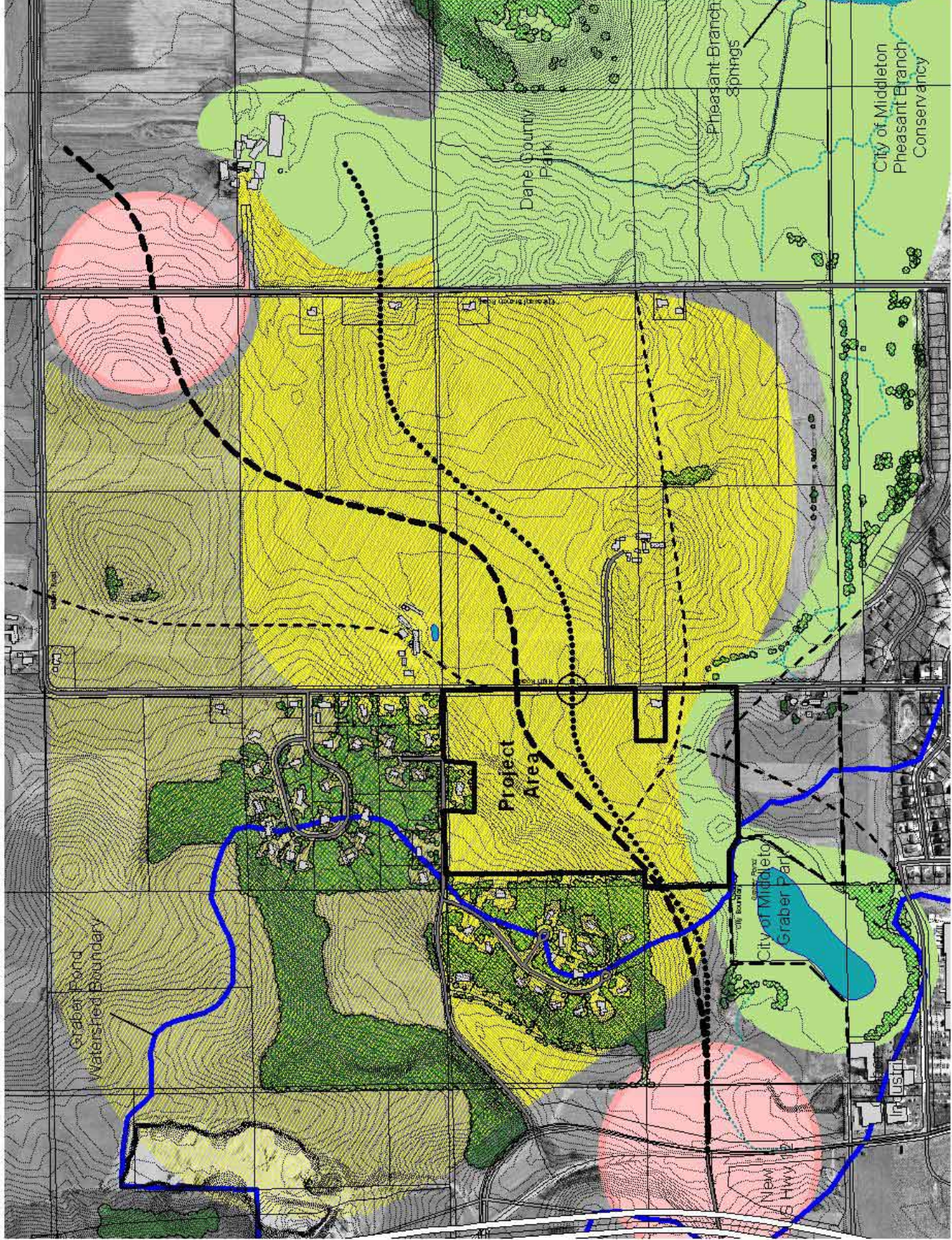
Map 1 B

## Regional Context Map

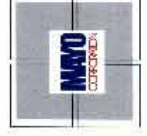
### Legend

#### NW Quadrant Plan

- Neighborhood Centers
- Greenway System
- Phase 1 Residential Development
- Long-term Residential Growth
- Important Linkages
- Major Collector
- Proposed Schneider Road Recommended by Strand



0 660 1320 Feet



Map 1 B

November 10, 2009

Map 1 B  
600 Grand Canyon Blvd.  
Boulder, CO 80501  
970.441.0000  
info@usgs.gov



# Misty Valley

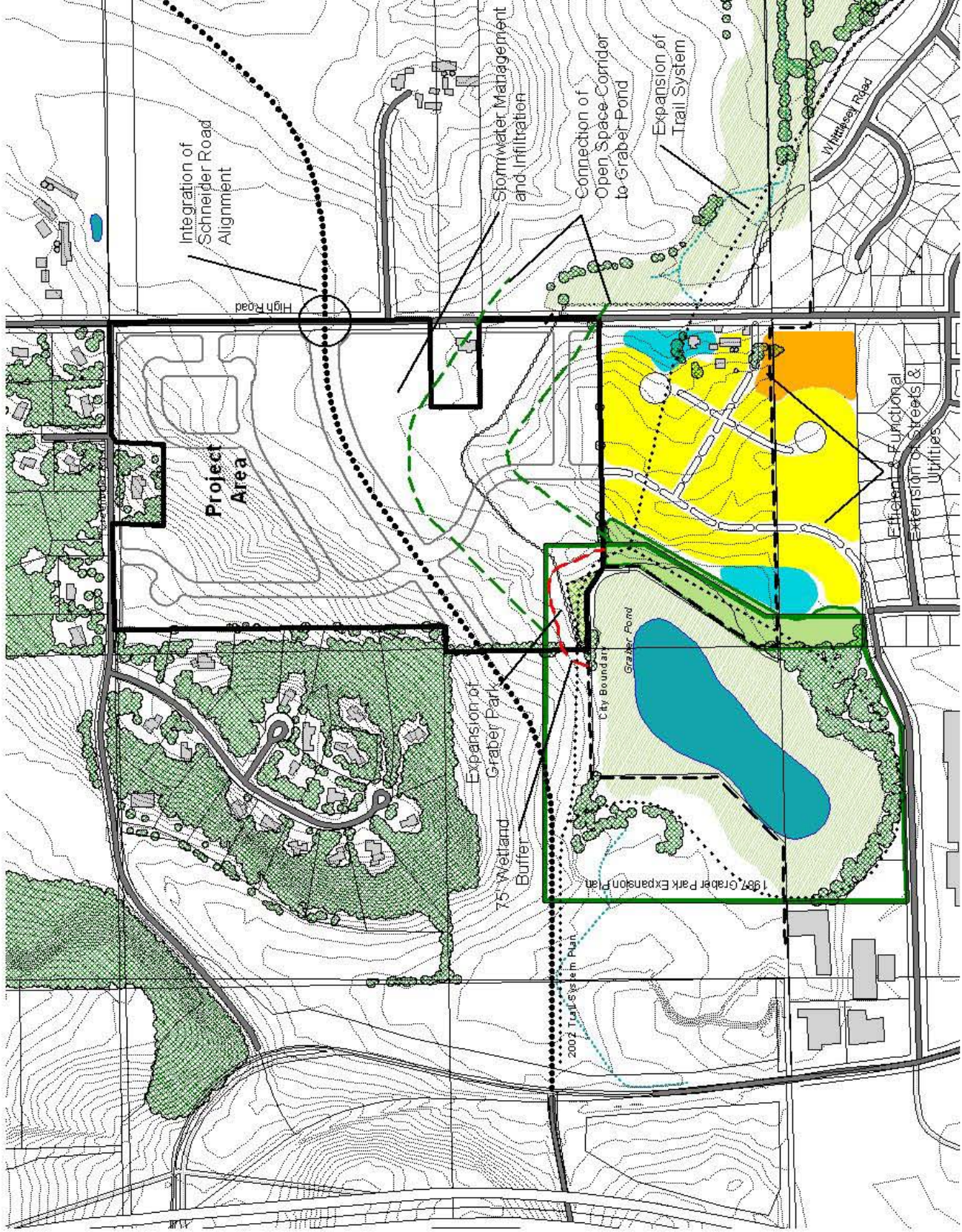
Planned Development District  
General Implementation Plan

Map 2

## Planning Considerations

### Legend

- Conceptual Sketch for Ziegler Parcel
- Park
  - Storm water
  - LD Res
  - MD Res
  - Proposed Schneider Road Extension
  - Possible Future Graber & Whittlesly Roads



Map 2  
November 10, 2005

Map 2  
November 10, 2005  
6200 Canyon Blvd.  
Boulder, CO 80503  
info@urban-solutions.com



# Misty Valley

Planned Development District  
General Implementation Plan

Map 3

## Neighborhood Master Plan

### Legend

#### Master Plan Land Use

- Single Family Lots (60' wide min)
- Single Family Lots (50' wide min.)
- Medium Density Residential (5-20 du/a)
- High Density Residential (21-30 du/a)
- Open Space, Trails,
- Stormwater Management
- Park



0 200 400 Feet



11/2006  
November 10, 2006

Mago Corporation  
600 Grand Canyon Blvd  
Flagstaff, AZ 86001  
info@magoconsulting.com

### Development Summary

Map Area	Estimated Max. Units
A Single Family Lots (60' wide typ.)	82
B Single Family Lots (50' wide typ.)	11
C Duplex Units	20
D Medium Density Residential	18
E Medium Density Residential	20
F Medium Density Residential	34
G Medium Density Residential	24
H High Density Residential	72
Total	281
Graber Park addition	3.7 acres
Open Space & Stormwater Mgt.	5.5 acres
Mini Park	.5 acres

Table Corrected 27 Nov 2006



Table 1

# **Misty Valley Planned Development District General Implementation Plan**

## **Statistical Summary and Land Use Development Parameters**

Neighborhood Area	Use	Estimated Net Acres	% of Project Area	Dwelling Units	% of Total Units	Proposed Units per Acre	Minimum Lot Area	Minimum Lot Width	Minimum Lot Frontage	Maximum Impervious Surface Ratio	Side Setback	Rear Setback	Front Setback
A	SF Residential	14.2		82	29.0%		6000	60	30	50%	8 feet*	25 feet	15 feet
B	SF Res.w/ Alley	1.6		11	3.9%		5000	50	30	50%	8 feet	25 feet**	15 feet
C	Duplexes	2.0		20	7.1%		8500	75	70	50%	8 feet	25 feet**	15 feet
D	Med Density Res	3.6		18	6.4%	5.00				65%	20' from adjoining SF or Duplex Lots		
E	Med Density Res	1.1		20	6.9%	18.00				65%	20' from adjoining SF or Duplex Lots		
F	Med Density Res	3.0		36	12.6%	12.00				65%	TBD	TBD	TBD
G	Med Density Res	1.2		24	8.5%	20.00				65%	TBD	TBD	TBD
H	High Density Res	2.4		72	25.6%	30.00				65%	TBD	TBD	TBD
	Subtotal	29.1	55%	283									
Graber Park Add'n	Public Park	3.7	7%										
	Mapped Wetland Uplands	0.4 3.3											
Open Space	Public Open Space	5.5	10%										
	Trail Corridor Stormwater Mgt Open Space	5.5											
Street ROWs		14.6	28%										
	Schneider Road	4.1											
	High Road	2.0											
	Greenbrier Road Other Streets & Alleys	0.7 7.8											

\* Some narrow lots have a 6' side yard setback

\*\* If garage is attached, detached garages have 8' rear setback from alley

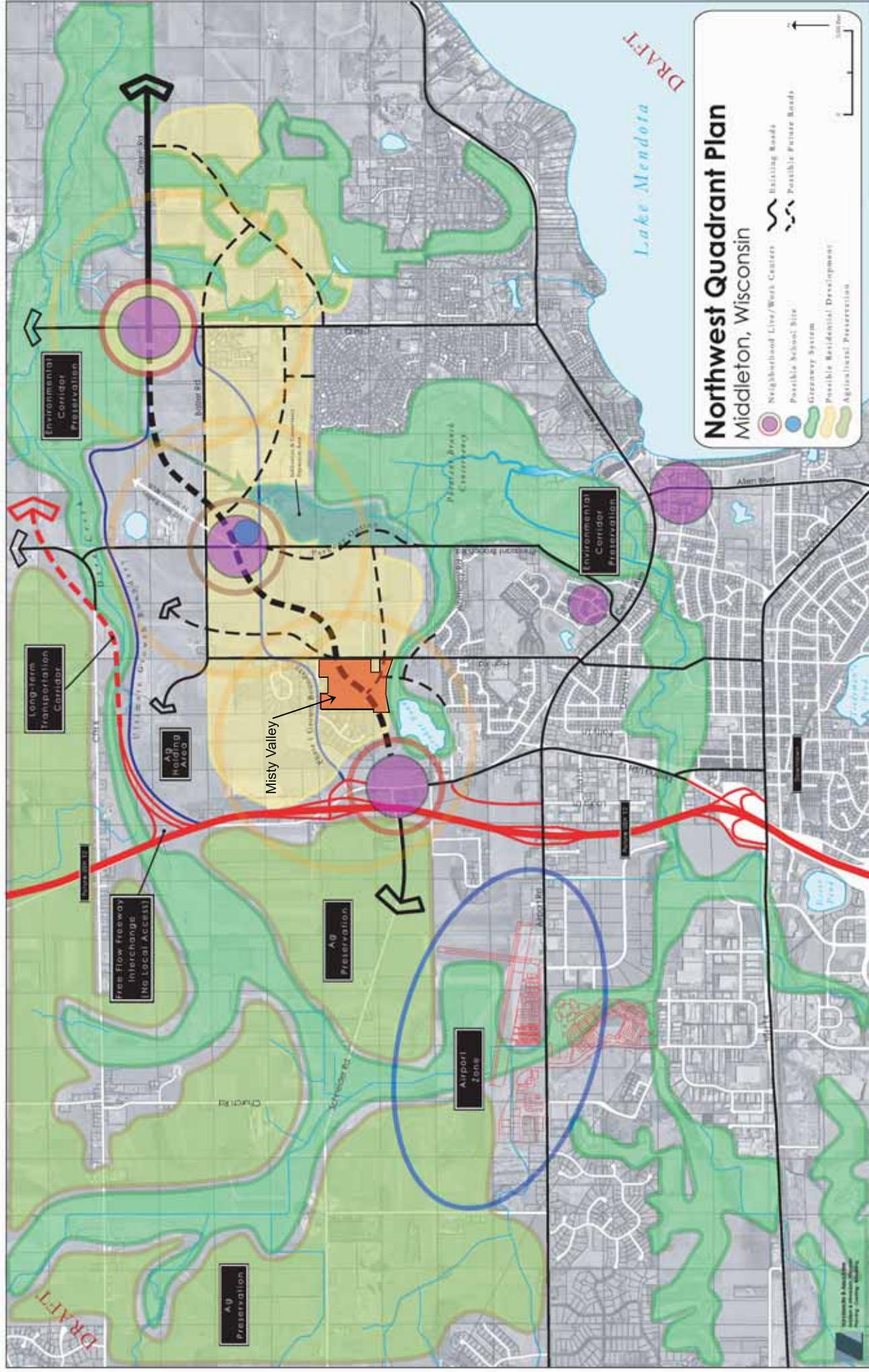
Table 2

**Misty Valley  
Planned Development District  
General Implementation Plan**

**Estimated Population and Students at Project Build-out**

	Dwelling Units	Estimated Persons per Unit	Projected Population	Projected Units w/ Children		Estimated Children per Unit w/ children	Projected Children
				%	#		
Small Lot Single Family Houses	93	3.2	298	60%	56	2.1	117
Medium Density Residential	116	2.4	279	30%	35	1.5	52
High Density Residential	72	1.5	108	1%	1	1.0	1
Total	281	2.4	685	32%	91		170



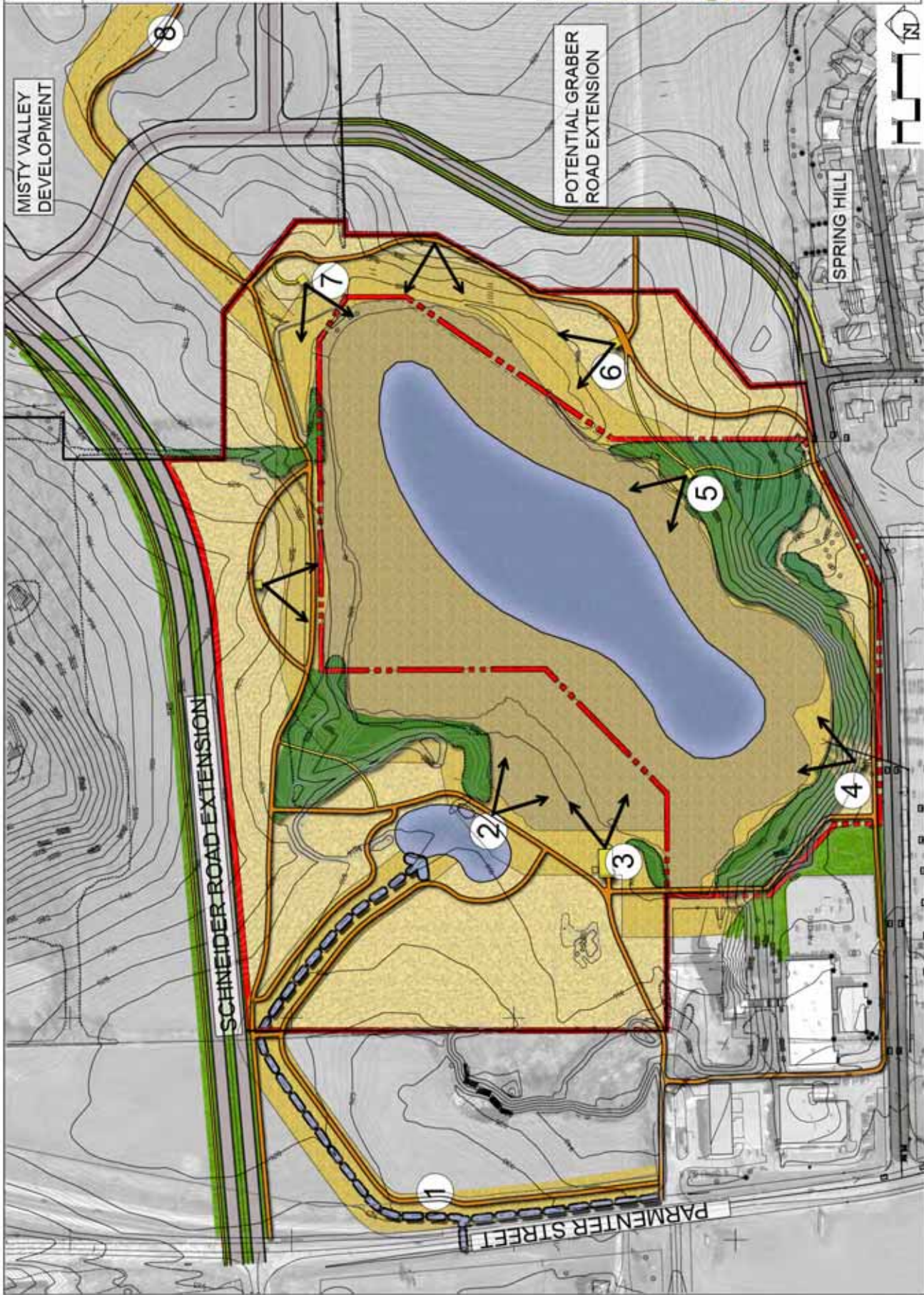


## Northwest Quadrant Plan Middleton, Wisconsin

- Neighborhood Live/Work Centers
- Possible School Site
- Greenway System
- Possible Residential Development
- Agricultural Preservation
- Existing Roads
- Possible Future Roads

0 1/2 1 mile



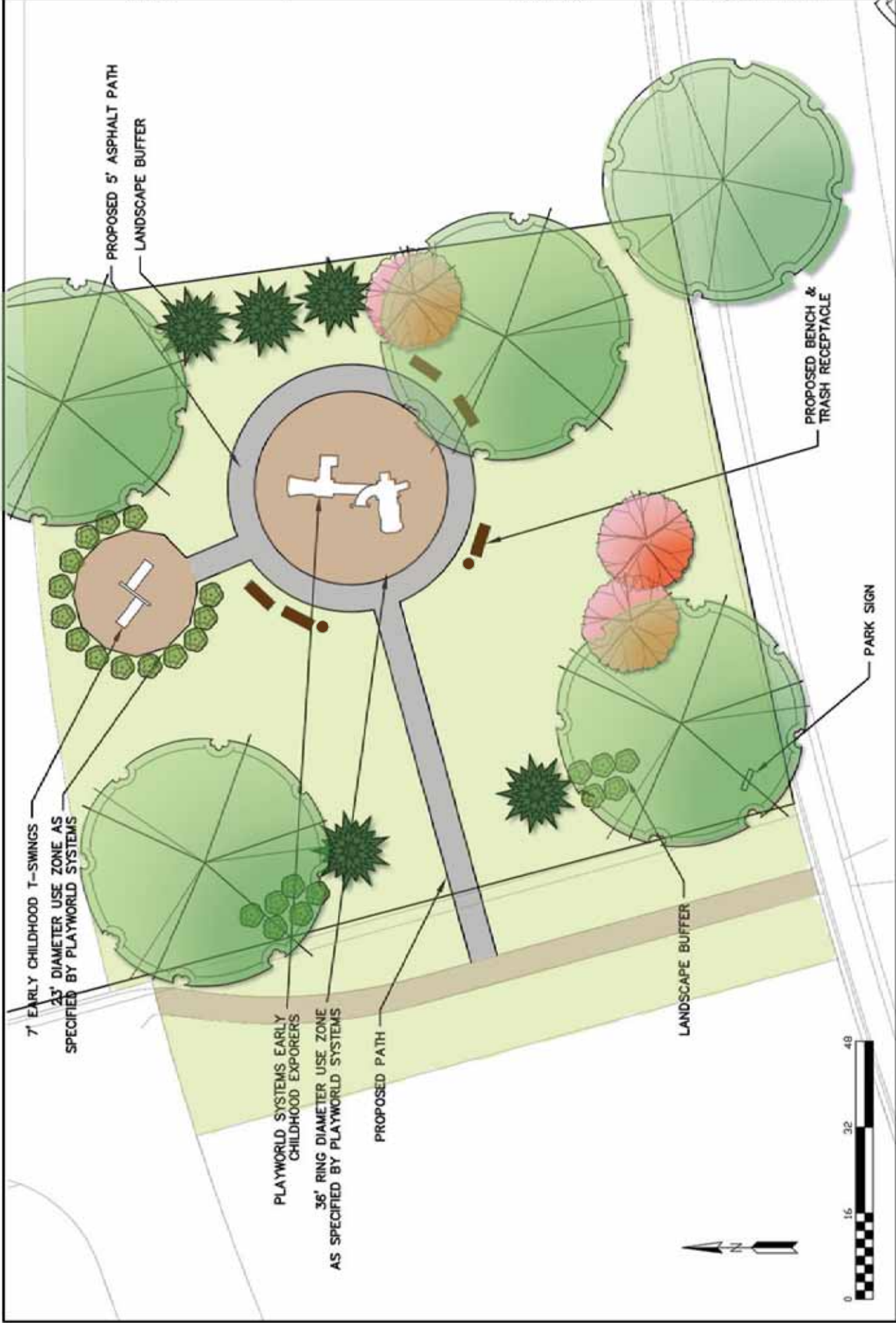


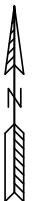
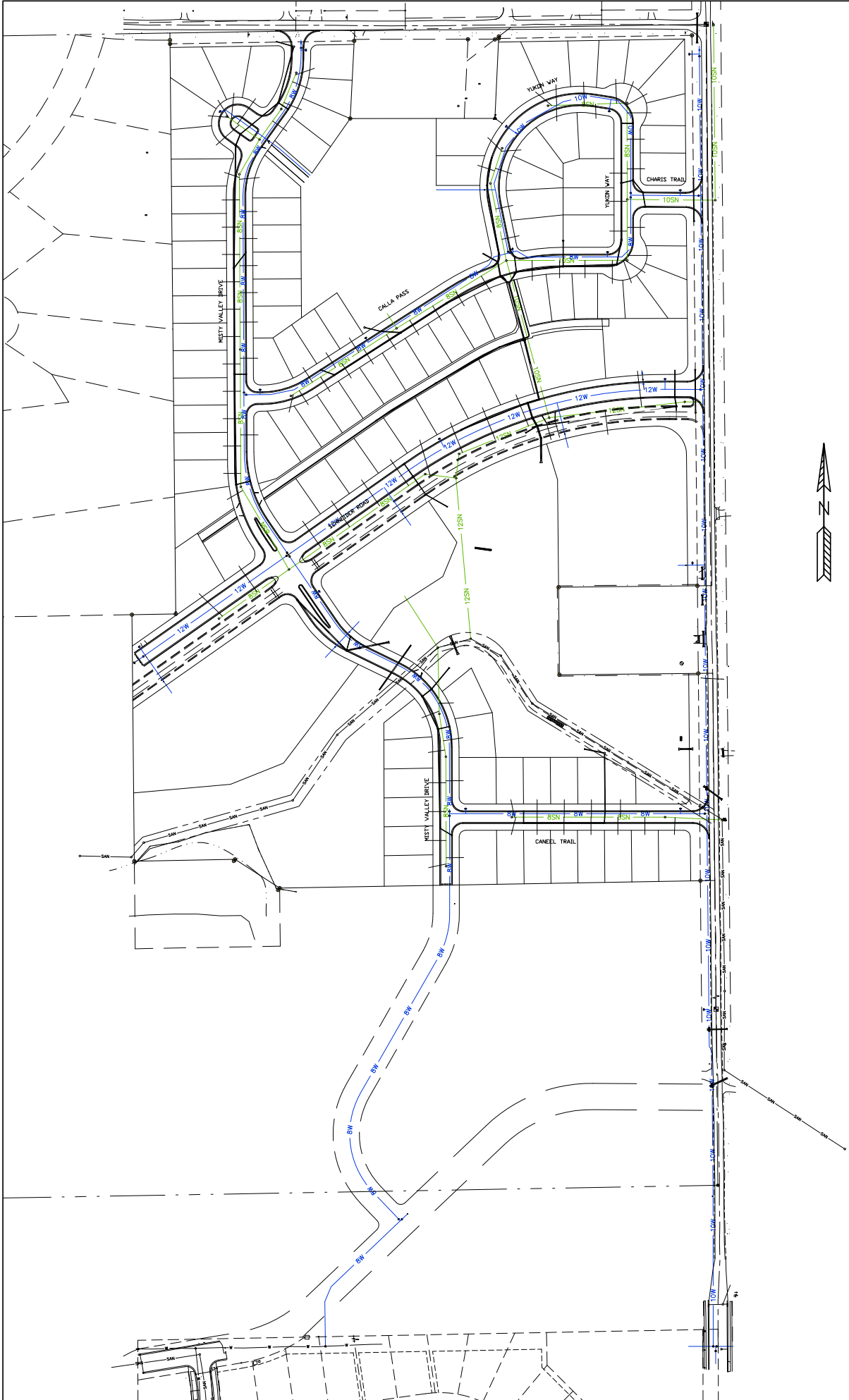
Graber Pond  
Master Plan  
Madison  
Wisconsin  
22 November 2004  
2004-014

**MASTER PLAN**



NO.	DATE	DESCRIPTION
1	10/1/2010	PRELIMINARY
2	10/1/2010	REVISION
3	10/1/2010	REVISION
4	10/1/2010	REVISION
5	10/1/2010	REVISION
6	10/1/2010	REVISION
7	10/1/2010	REVISION
8	10/1/2010	REVISION
9	10/1/2010	REVISION
10	10/1/2010	REVISION





REVISION	DATE
1	
2	
3	

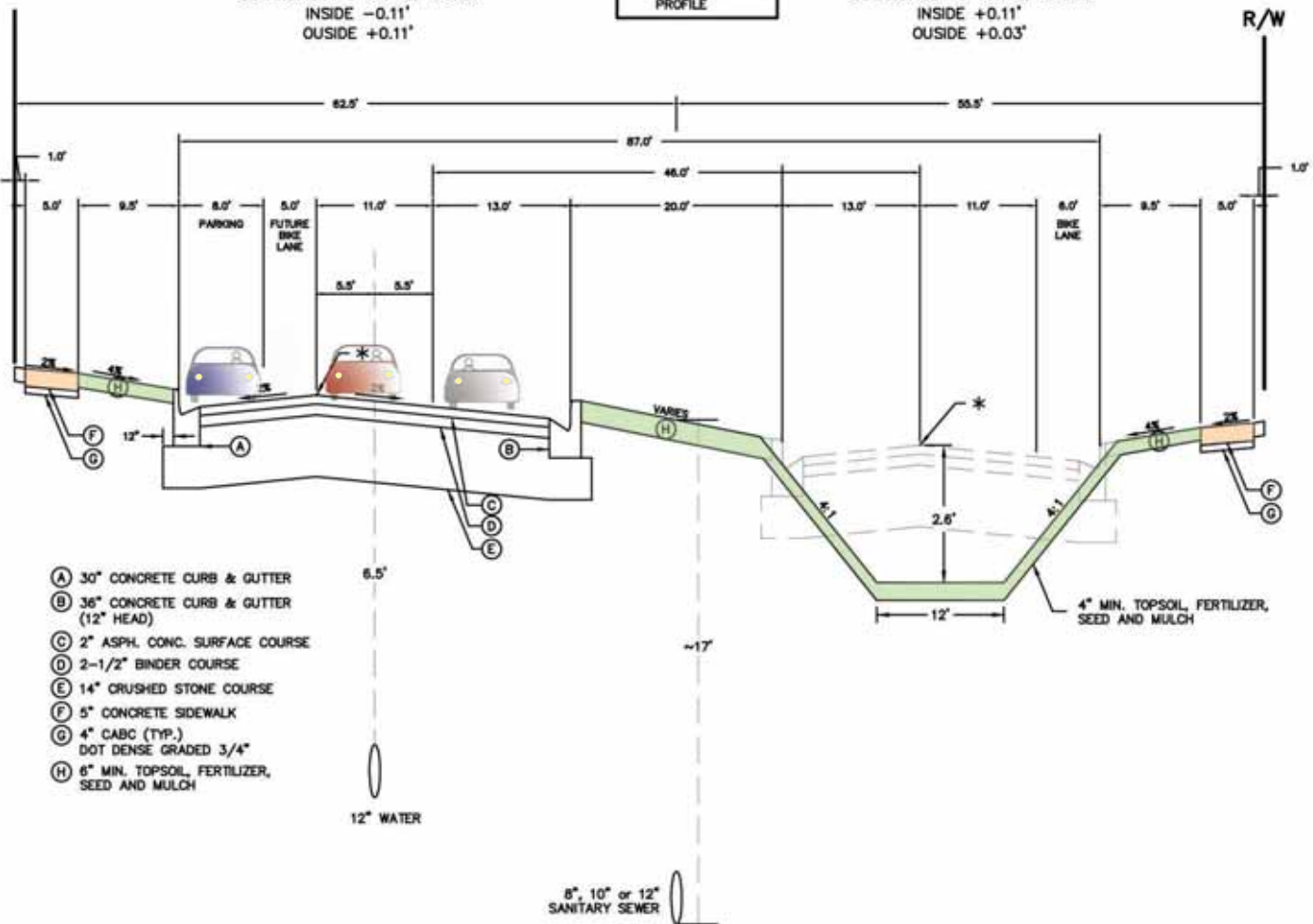
R/W

**WEST BOUND (NORTH)**  
CL PROFILE TO TOP OF CURB:  
INSIDE -0.11'  
OUTSIDE +0.11'

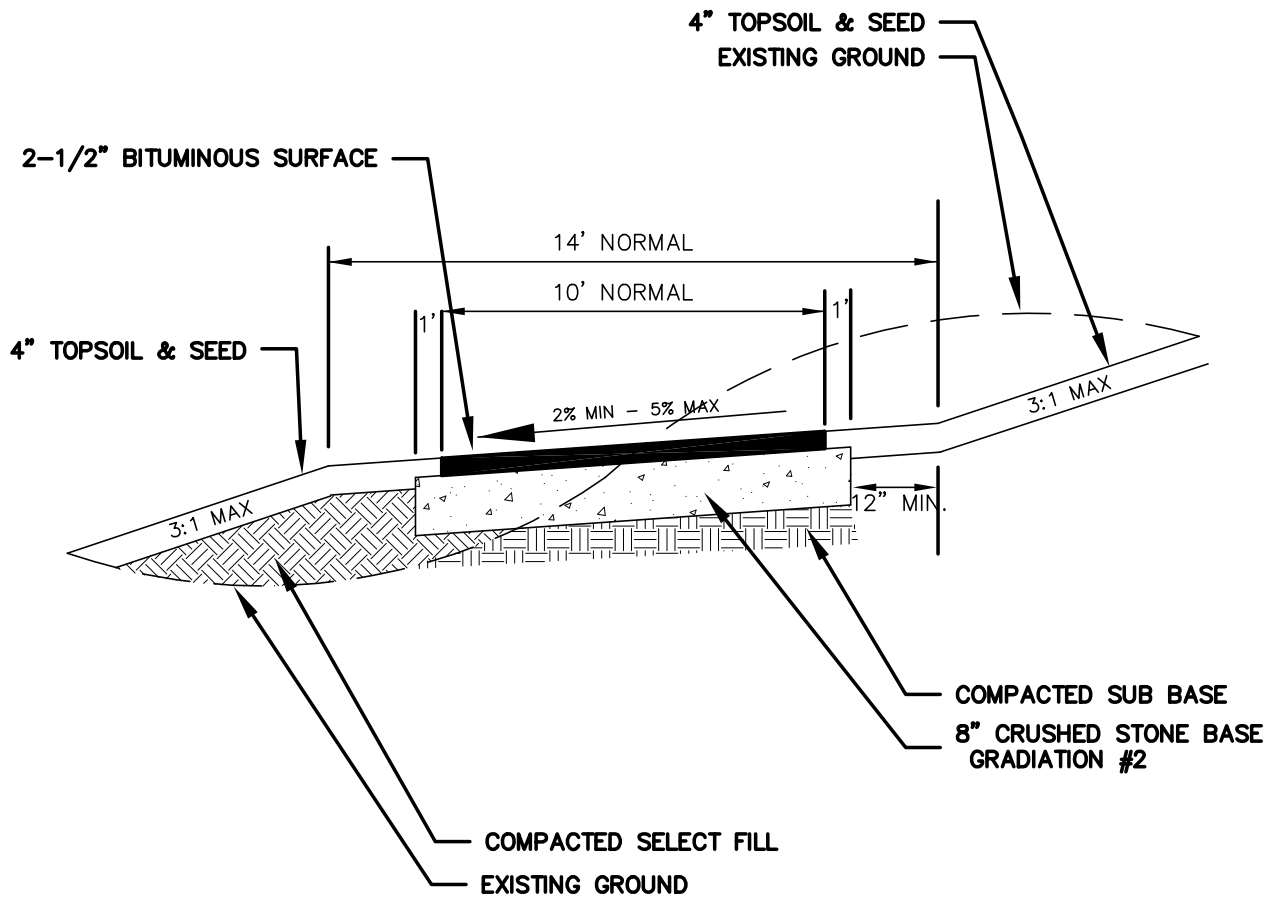
\* DENOTES POINT  
REFERRED TO ON  
PROFILE

**EAST BOUND (SOUTH)**  
CL PROFILE TO TOP OF CURB:  
INSIDE +0.11'  
OUTSIDE +0.03'

R/W



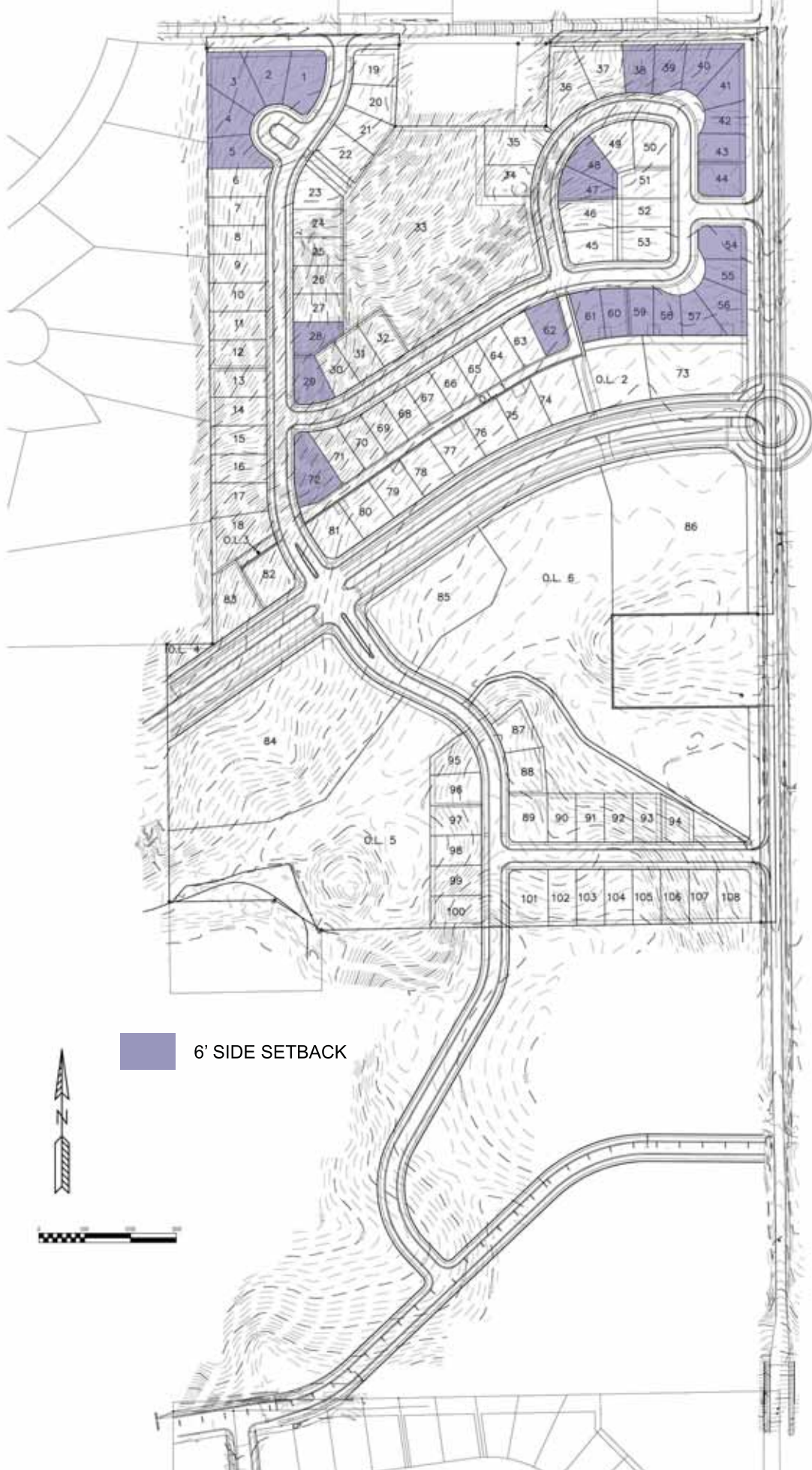
**SCHNEIDER ROAD**  
118' RIGHT-OF-WAY  
87' STREET WIDTH



# TYPICAL BIKE PATH SECTION NTS

PLOT DATE: 1.30.07  
 PLOT VIEW: Layout1  
 HL-04-05  
 SHEET 1 OF 1  
 M:\HL0405\typical bike path section.DWG





 6' SIDE SETBACK





DETAIL A, SHEET L101

HIGH ROAD



CALL DIGGERS HOTLINE  
1-800-242-8511  
TOLL FREE

WS. STATUTE 182.0175 (1974)  
REQUIRES MIN. OF 3 WORK DAYS  
NOTICE BEFORE YOU EXCAVATE

DETAIL D: ~~SHEET L101~~

DETAIL C SHEET L101

DETAIL D, SHEET L101

DETAIL C, SHEET L101

DETAIL B, SHEET L101

DETAIL / A, SHEET L101

0 75 150 300 450

NOTES:  
(1) PLAN SHOWS CONCEPTUAL PROPOSED STREET TREE LOCATIONS.  
(2) PROPOSED TREES WILL BE OF THE FOLLOWING SPECIES:

BOTANICAL NAME	COMMON NAME
CUNILIS OCCIDENTALIS 'WINDY CITY'	COMMON HACKBERRY
GELTICO BILBOA 'AUTUMN GOLD'	AUTUMN GINKGO
GLERFISA 'THACHTONIS VAP. NERBIS 'SKYLINE'	SKYLINE HORNLESS HONEYLOCUST
QUINOLADUS DICCA 'PRAIRIE TITAN'	PRAIRIE TITAN KENTUCKY COFFEETREE
QUINOLUS ALBA	WHITE OAK
QUINOLUS 'NEW HORIZON'	NEW HORIZON ELM



heet:  
**L100**

**MAYO**  
corporation

ENGINEERS SURVEYORS ARCHITECTS PLANNERS  
600 GRAND CANYON DRIVE, MADISON, WI 53719-1044  
PHONE: (608) 833-0628 FAX: (608) 833-0746  
E-MAIL: [majoyco@mayocorp.com](mailto:majoyco@mayocorp.com)

SHEET LAYOUT AND SIREE TREE PLANTING CONCEPT  
MISTY VALLEY  
PROJECT LOCATION: CITY OF MIDDLETON, WISCONSIN

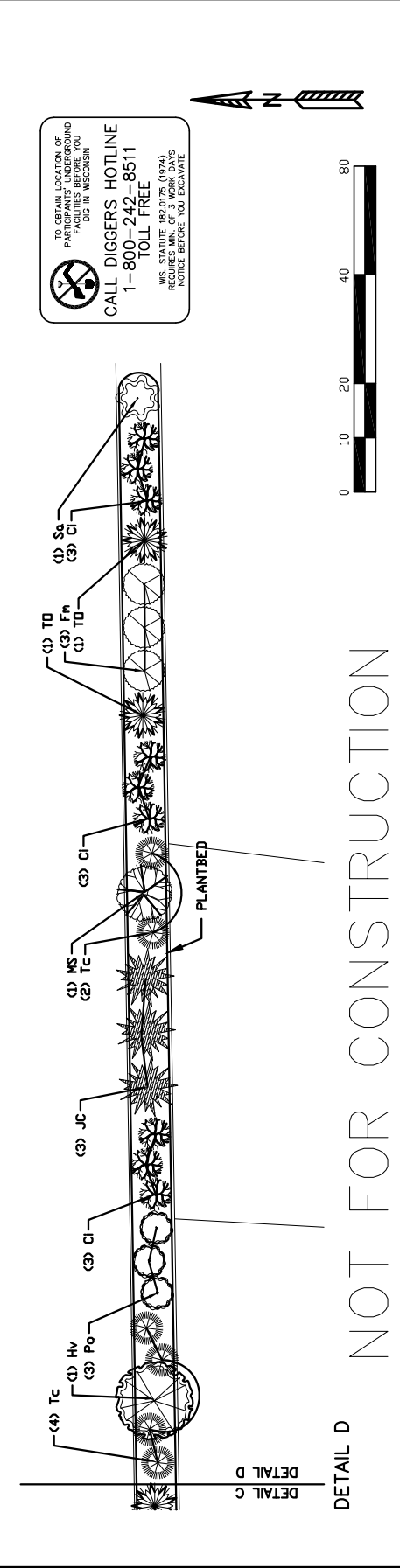
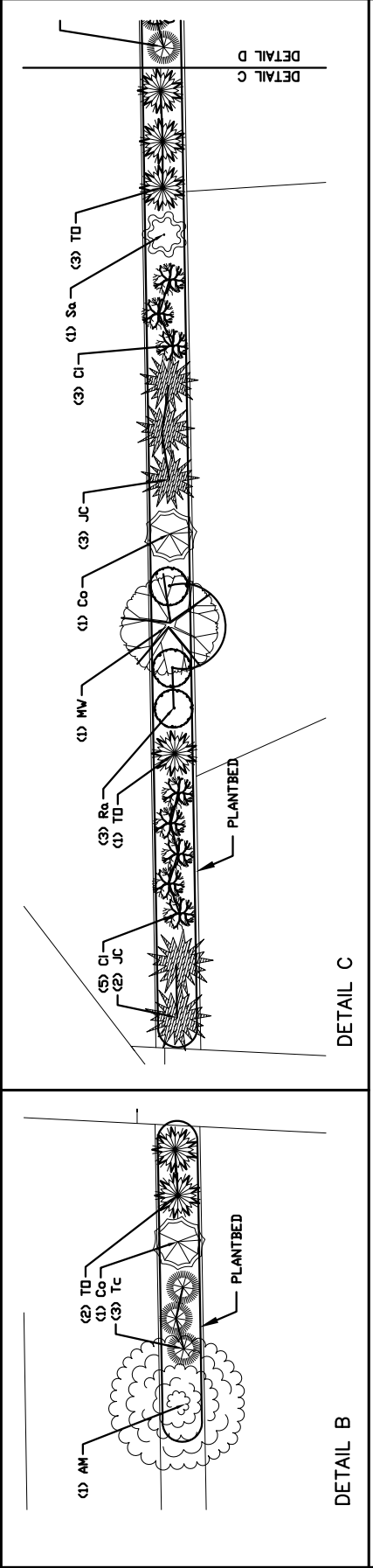
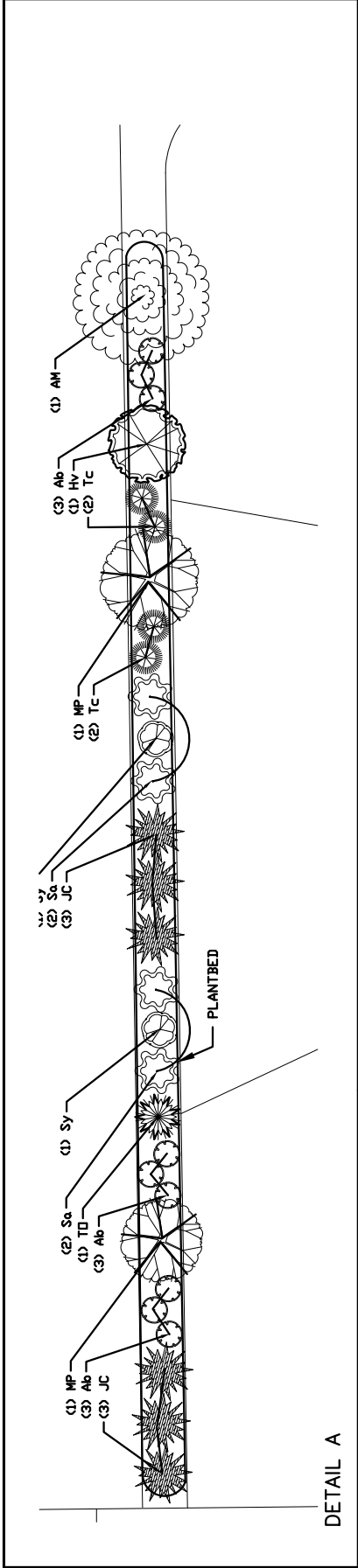
DESCRIPTION	Drawn By: SCL
	Checked By: JB
	Date: 1/19/06
	Doc NO.: HLC405

Consultant:

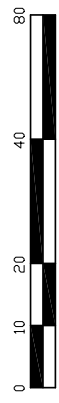
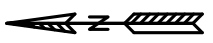
PROJECT LOCATION: CITY OF MIDDLETON, WISCONSIN  
 MISTY VALLEY  
 BERM PLANTING PLAN

REVISION	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	11/23/09
2	ISSUED FOR BIDDING	11/23/09
3	ISSUED FOR CONSTRUCTION	11/23/09
4	ISSUED FOR FINAL AS-BUILT	11/23/09

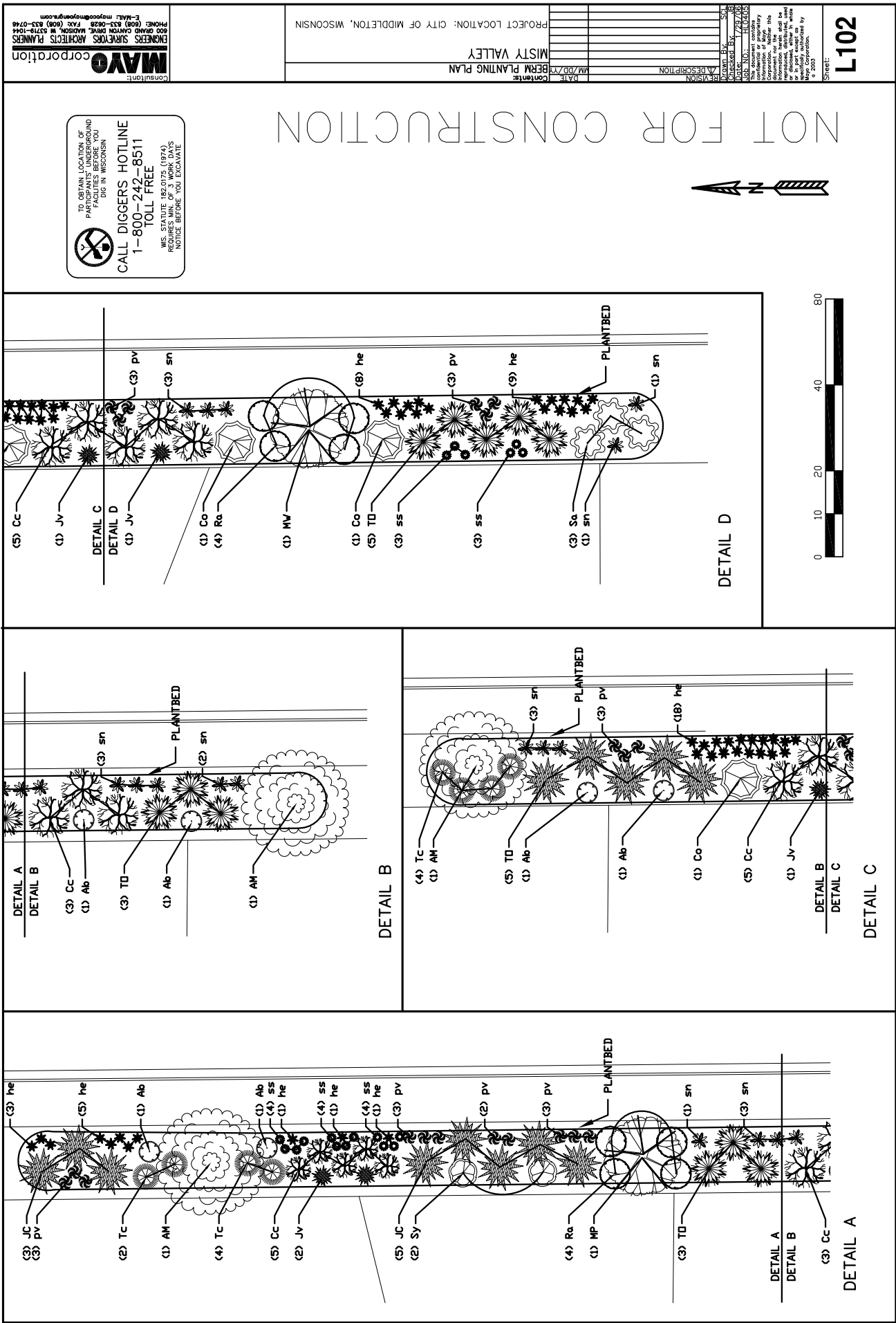
Sheet:  
**L101**



TO OBTAIN LOCATION OF PARTICIPANTS' UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN  
**CALL DIGGERS HOTLINE 1-800-242-8511 TOLL FREE**  
 WIS. STATUTE 182.075 (1974) REPEALED  
 NOTICE BEFORE YOU EXCAVATE



NOT FOR CONSTRUCTION



TO OBTAIN LOCATION OF PARTICIPANTS, UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN  
**CALL DIGGERS HOTLINE 1-800-242-8511 TOLL FREE**  
 WIS. STATUTE 182.0775 (1974) PROVIDES THAT ANY PERSON WHO EXCAVATES WITHOUT NOTICE BEFORE YOU EXCAVATE

**MAYO** CORPORATION  
 ENGINEERS SURVEYORS ARCHITECTS PLANNERS  
 1000 W. MIDDLETON AVENUE, SUITE 200  
 MIDDLETON, WISCONSIN 53576-1044  
 PHONE: (608) 833-0228 FAX: (608) 833-0746  
 E-MAIL: [mjco@mymayo.com](mailto:mjco@mymayo.com)

PROJECT LOCATION: CITY OF MIDDLETON, WISCONSIN  
 MISTY VALLEY  
 BERM PLANTING PLAN

DATE	REVISION	DESCRIPTION
11/17/08	1	ISSUED FOR PERMIT
11/17/08	2	ISSUED FOR PERMIT
11/17/08	3	ISSUED FOR PERMIT
11/17/08	4	ISSUED FOR PERMIT
11/17/08	5	ISSUED FOR PERMIT
11/17/08	6	ISSUED FOR PERMIT
11/17/08	7	ISSUED FOR PERMIT
11/17/08	8	ISSUED FOR PERMIT
11/17/08	9	ISSUED FOR PERMIT
11/17/08	10	ISSUED FOR PERMIT

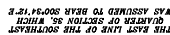
THIS DOCUMENT CONTAINS INFORMATION OF PROPRIETARY NATURE. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR IN ANY MANNER DISSEMINATED WITHOUT THE WRITTEN CONSENT OF MAYO CORPORATION.  
 © 2003 Mayo Corporation

Sheet: **L102**





PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 8 NORTH, RANGE 8 EAST, CITY OF MIDDLETON, DANE COUNTY, WISCONSIN.



3/4" SOLID ROUND IRON REBAR FOUND  
IRON PIPE FOUND (SIZE DENOTED)  
1/2" DIAMETER DRILLED HOLE IN LARGE BOLDER FOUND  
1-1/4" x 24" SOLID IRON REBAR SET, WT. 4.30 lbs./ft. ALL OTHER LOT AND  
OUTLOT CORNERS MARKED BY A 3/4" x 24" SOLID IRON REBAR, WT. 1.50 lbs./ft.  
SECTION CORNER MONUMENT  
INDICATES "RECORDED AS"

INDICATES NO ACCESS

1. UTILITY EASEMENTS, NO POLES OR BURIED CABLES ARE TO BE PLACED SUCH THAT THEY INTERFERE WITH THE CONDUCT OF A SURVEY MONUMENT BY ANYONE IS A VIOLATION OF SECTION 236.32 OF WISCONSIN STATUTES. UTILITY EASEMENTS AS NOTED ON THIS SURVEY MONUMENT ARE NOT TO BE ALTERED BY ANYONE. ANY ALTERATION OF SUCH UTILITY EASEMENTS SHALL NOT BE ALTERED BY MORE THAN 6 INCHES UNLESS OTHERWISE NOTED.

2. UTILITY EASEMENTS ARE LOCATED EXCEPT WITH WRITTEN CONSENT OF THE UTILITY OR PERSONS INVOLVED.

UNLESS OTHERWISE NOTED

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.

1. DISTANCES ARE GROUND AND MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.
2. DATES OF SURVEY: 11-30-04, 01-26-06, AND 2-15-06.

3. OUTLOT 1 AND OUTLOT 3 ARE PRIVATE ROAD EASEMENTS AND PUBLIC UTILITY EASEMENTS.

4. OUTLOT 2 IS TO BE DEDICATED TO THE PUBLIC FOR PARK PURPOSES.

5. PLAT OUTSIDE OF 100 YEAR FLOOD PLAIN EXCEPT AREA DENOTED. FLOOD PLAIN INFORMATION FROM FEMA MAP NUMBER 55025C0382F DATED JUNE 17, 2003.

6. WATER ELEVATION OF GRABER POND AS SURVEYED ON 2-15-06 WAS 899.22'.

7. WATER FIXTURES ABOVE ELEVATION 998.0' NGS DATUM (CITY DATUM) WILL NOT BE ALLOWED BY THE CITY OF MIDDLETON UNLESS THE HOMEOWNER INSTALLS A PRIVATE BOOSTER PUMP TO INCREASE IN-HOUSE PRESSURE.

9. THROUGH SECTION 823.08 OF THE WISCONSIN STATUTES, THE WISCONSIN LEGISLATURE HAS ESTABLISHED A RIGHT TO FARM LAW. THIS STATUTE LIMITS THE BENEFITS OF A LATER ACQUIRED RESIDENTIAL PROPERTY TO SEEK MANAGES TO

RECORDS OF WATER ESTIMATED RESIDENTIAL PROPERTY TO SEEK CHANGES TO PRE-EXISTING AGRICULTURAL PRACTICES IN THE VICINITY OF RESIDENTIAL PROPERTY. ACTIVE AGRICULTURAL OPERATIONS ARE NOW TAKING PLACE AND MAY CONTINUE IN THE VICINITY OF THE PLAT OF MISTY VALLEY. THESE ACTIVE AGRICULTURAL OPERATIONS MAY PRODUCE NOISES, DUST, MACHINERY TRAFFIC, OR OTHER CONDITIONS, DURING DAYTIME AND EVENING HOURS.

PREPARED FOR:  
GRABER VALLEY L.L.C.  
1828 PARMENTER STREET, SUITE 2  
MIDDLETON, WI 53562  
Phone: 608-831-4066

PREPARED BY:

**Mayco Corporation**  
100 Grand Canyon Drive  
Madison, WI 53719  
(608) 833-0628  
(608) 833-0745 (fax)

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

## References



Department of Administration





PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 8 NORTH, RANGE 8 EAST, CITY OF MIDDLETON, DANE COUNTY, WISCONSIN.

State of Wisconsin )  
County of Dane )

I, Dave Gewertz, being the duly elected, qualified and acting Treasurer of the County of Dane, do hereby certify that the records in my office show no underearned tax sales and no unpaid taxes or unpaid special assessments on of this \_\_\_\_\_ day of \_\_\_\_\_, 2006, affecting the lands included in the plat of MISTY VALLEY.

Date \_\_\_\_\_ Dave Gawenda, County Treasurer

I, Patricia A. Amble, being the duly elected, qualified and acting City Treasurer of the City of Madison, 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 \_\_\_\_\_, 2006, on any of the lands included in the plat of MISTY VALLEY.

Date \_\_\_\_\_ Patricia A. Amble, City Treasurer

State of Wisconsin )  
 )ss.  
 County of Dane )

Date	Approved
_____	_____

Date \_\_\_\_\_ Signed \_\_\_\_\_

I hereby certify that the foregoing is a copy of a resolution adopted by the common council of the City of Middleton

Date \_\_\_\_\_ Ruth M. Becker, City Clerk

As owner, we do hereby certify that we have caused the land described on this plat to be surveyed, divided, mopped and dedicated as represented on the map hereon. We further certify that this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

- [1] Department of Administration  
[2] Common Council, City of Middleton  
[3] Dane County Zoning and Natural Resources Committee

WITNESS the hands and seals of said owner this \_\_\_\_\_ day of \_\_\_\_\_, 2007

William J. Holley

Michael D. Hershberger

State of Wisconsin )

Country of Origin (SS.)

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2007 the above named William J. Holley & Michael D. Hershberger to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public, Wisconsin

**My Commission:** \_\_\_\_\_

ANCHOR BANK, FSB, a banking association duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedicating of the land described on this plat and does hereby consent to the Owner's Certificate.

IN WITNESS WHEREOF, the said Anchor Bank FSB, has caused these presents to be signed by  
Peter A. Aarsvold, its \_\_\_\_\_, at Madison, Wisconsin. This \_\_\_\_\_ day of  
\_\_\_\_\_, 2007.

Anchor Bank, FSB

---

Peter A. Aarsvold

State of Wisconsin )

County of Dane )  
(ss:

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2007. Peter A. \_\_\_\_\_, of the above named banking association, to me known to be the persons who executed the foregoing instrument, and to me known to be such \_\_\_\_\_ of said banking association, and acknowledged that they executed the foregoing instrument as such officers as the deed of said banking association, by its authority.

Notary Public, Wisconsin

**My Commission:**

1. Scott J. Keffauers, Registered Land Surveyor, hereby certifies that in full compliance with the provisions of Chapter 236 of the Wisconsin State Statutes and the Land Division Ordinances of the City of Middleton and under the direction of GRABER VALLEY, LLC, owner of said land, I have surveyed, divided and mapped the plat of MISTY VALLEY, LLC, owner of said land, and the boundaries and the subdivision of the lands surveyed, the boundary of which is described as follows:


Part of the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 35, Township 8 North, Range 8 East, City of Middleton, Dane County, Wisconsin more fully described as follows:

[illegible]

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

**Signed:** Scott J. Koffarnus  
Professional Land Surveyor S-2782-008

There are no objections to this plan with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by a. 236.12, Wis. Stats.

  
 Department of Administration

Certified \_\_\_\_\_, 20\_\_\_\_

Office of Register of Deeds  
Dane County, Wisconsin

Received for Record \_\_\_\_\_

\_\_\_\_\_ and recorded in vol. \_\_\_\_\_

for

---

Madison, WI 53719  
(608)833-0628  
(608)833-0746(fax)

HL0405  
SHEET 4 OF