



Department of Planning & Community & Economic Development

## Planning Division

Katherine Cornwell, Director

Madison Municipal Building, Suite LL-100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

[www.cityofmadison.com](http://www.cityofmadison.com)

January 14, 2014

Mark Pynnonen  
Birrenkott Surveying, Inc.  
1677 N. Bristol Street  
Sun Prairie, Wisconsin 53590

RE: Approval of a preliminary plat creating 29 future single-family residential lots and 1 outlot to be dedicated to the public for stormwater management at 8839-8947 Ancient Oak Lane. (Brandon J. Ripp)

Dear Mr. Pynnonen;

At its January 7, 2014 meeting, the Common Council **conditionally approved** your client's preliminary plat of Ripp Addition to Linden Park subject to the following conditions of approval to be addressed through the final plat of the subdivision:

**Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following thirty-three (33) items:**

1. Correct the street name "Color Peak Drive" shown adjacent to the plat. The correct street name is "Color Peak Road". Also the 66-foot width of Ancient Oak Lane shall be shown.
2. Add Lot 2 of Certified Survey Map 12934 to the location header under the plat name. Also correct a line of the legal description in the middle of the description as follows – "...right of way line to the East line of Lot 1 of said Certified Survey Map;..." and clarify in the last course of the description that the east line is the East Line of the said NW ¼ of the NW ¼, as there is more than one east line cited in the legal description. Last, rectify the first tie distance from the point of commencement between the map and description and label on the map the bearing and distance of the second course of the tie.
3. The title report for the final plat shall not include Lot 1 of Certified Survey Map 12934.
4. Label the existing temporary turnaround: "50' Radius Temporary Turnaround Easement per Document No. 4139208. The easement terminates upon the extension of Pine Hollow Place to the east.
5. Show the 10-foot wide Permanent Limited Easement for Grading and Sloping and the 10-foot Building Setback Line along the east side of proposed Lot 1 as per Certified Survey Map 12934.

(Note: This preliminary plat conforms to the street reservation over Lot 2 of CSM 12934 requiring the 15-foot radius return at the northeast corner of proposed Lot 1).

6. The 6-foot Utility Easement along Ancient Oak Lane shall be relabeled "6' Wide Public Utility Easement as per Doc. No. 4139208".
7. The width of existing drainage easements shall be dimensioned on all sides of the plat and labeled Public Easement for Drainage Purposes as per Document No. 4671680. (The CSM easements replaced the plat easements per the note on the CSM). The final plat shall use the language for the drainage easements verbatim from the City of Madison Ordinances. This will provide for the existing easements created by the current CSM to be released and replaced by those required on the final plat. Also, add to the map the existing easements along the south and east sides of proposed Lot 1.
8. The preliminary plat shall show the location of any wells or septic systems that currently exist within the preliminary plat.
9. The final plat shall define all public utility easements required for the development by the public bodies and private public utilities having the right to serve the plat.
10. Add "Bentley Green Condominium" to the adjacent lands within Certified Survey Map 12341.
11. Add to the notes: "Per Note 6 of CSM 12934 as Doc. No. 4671680, this plat acknowledges and accepts drainage from Lot 1 of said CSM and shall address the drainage and storm water management requirements for said Lot 1."
12. Add to the notes: "Per Note 7 of CSM 12934 as Doc. No. 4671680, subsoil information indicates that basements of structures within the plat may encounter bedrock. The subsurface conditions report, dated May 10, 2002 is on file with the City Engineer (also as noted on the Linden Park plat)."
13. Add to the notes: "This plat is subject to Declaration of Conditions and Covenants to Linden Park recorded as Document Numbers 4176509 and 4176510."
14. Add to the notes: "This plat is subject to Linden Park, CSM and First Addition to Linden Park Restatement and Amendment of Declaration of Protective Covenants, Conditions and Restrictions per Doc No. 4478968 and First Amendment per Doc. No. 4733924."
15. Add to the notes: "This plat is subject to Declaration of Conditions, Covenants and Restrictions CSM 12934 per Doc. No. 4690886."
16. Add to the notes: "This plat is subject to Declaration of Conditions and Covenants for the Development/Plat of CSM 12934 per Doc. No. 4710072."
17. Add the lot line and dimensions between Lots 12 and 13. Also provide the dimensions for the lots along the right of way.
18. Modify the plat to designate Outlot 1 to be dedicated to the public for stormwater management purposes. Modify the configuration of Outlot 1 to provide an access point to the public street for installation, maintenance and repair of facilities within Outlot 1.

19. Lots 15 and 16 will need to be served by sanitary sewer running through the University Research Park lands east of the proposed plat.
20. The applicant shall verify the required zoning setbacks and match the drainage easement widths accordingly.
21. The developer shall enter into a City/Developer agreement for the installation of public improvements required to serve this plat/ CSM. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this plat without the agreement executed by the developer.
22. Two weeks prior to recording the final plat, a soil boring report prepared by a Professional Engineer, shall be submitted to the City Engineering Division indicating a ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9 feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
23. This development is subject to impact fees for the Valley View Road Sanitary Sewer and Stormwater Impact Fee District and the Upper Badger Mill Creek Stormwater Impact Fee District. All impact fees are due and payable at the time building permits are issued. The following note shall be put the face of the plat: "Lots/ buildings within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."
24. The developer shall construct Madison standard street and sidewalk improvements for all streets within the plat.
25. An erosion control plan and land disturbing activity permit shall be submitted to the City Engineering Division for review and approval prior to grading or any other construction activities. The Preconstruction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
26. The following notes shall be included on the final plat:
  - a.) All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

- b.) The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.

NOTE: In the event of a City of Madison Plan Commission and/or Common Council approved re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.

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

27. Prior to the issuance of building permits, the developer shall submit a master stormwater drainage plan to the City Engineering Division for review and approval which shows lot corner elevations to the nearest 0.25-foot. For purposes of the plan, it shall be assumed that grading shall be done on a straight-line grade between points unless other information is provided. The proposed slope between points shall always be greater than or equal to .0075 ft/ft. If a break in grade is required between lot corners a shot shall be taken at that break in grade to provide the Engineer with enough information to interpret the plan. The developer shall also show proposed drainage arrows on the plan to indicate the proposed direction of drainage.

The master storm water drainage plan shall be submitted to City Engineering in digital format with elevations/grades/contours shown on the recorded plat map of the development. The digital record shall be provided using the state plane coordinate system – NAD 27. Note: It is required that this plan shall be stamped by and Registered Land Surveyor.

The following note shall accompany the master stormwater drainage plan: "For purposes of this plan, it is assumed that grading shall be a straight-line grade between points unless otherwise indicated. All slopes shall be 0.75% or steeper. Grade breaks between lot corners are shown by elevation or through the use of drainage arrows. No building permits shall be issued prior to the City Engineering Division's approval of this plan."

28. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to: detain the 2-, 10-, and 100-year storm events; control 80% TSS (5 micron particle) off of new paved surfaces; provide infiltration in accordance with Chapter 37 of Madison General Ordinances; provide substantial thermal control, and; complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by Chapter 37 MGO.
29. A minimum of 2 working days prior to requesting City Engineering signoff on the plat, the applicant shall contact Janet Dailey (261-9688) to obtain the final stormwater utility charges that are due and payable prior to subdivision of the properties. The stormwater utility charges (as all utility charges)

are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

30. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
31. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
32. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The Applicant shall identify monument types on all PLS corners included on the Plat. Note: Land tie to two PLS corners required.
33. City of Madison Environmental Projects Staff have reviewed the subject site and determined that a Phase I ESA **will** be required of the applicant. The applicant shall provide 1 digital and 2 hard copies of an ASTM Phase I ESA prepared by an environmental professional. Staff review of this Phase I ESA will determine if a further investigative Phase II ESA is also required. Please submit any relevant Phase I and Phase II ESAs to Brynn Bemis (267-1986, [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)) for further review.

**Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following two (2) items:**

34. Utility easements shall be provided on the final plat between Lots 4 and 5, 8 and 9, and 13 and 14. The applicant shall show a detail drawing of the 12-foot utility easement dimensions and lot lines on the face of the final plat.
35. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following two (2) items:**

36. That the 10-foot drainage easement along the east side of proposed Lot 15 also be designated as the minimum building setback line on the final plat.
37. Note: Lot 1 will remain zoned TR-C3 as the proposed lot area is 5,512 square feet.

**Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following two (2) items:**

38. All public water mains and water service laterals shall be installed by a standard City of Madison Subdivision Contract. The Water Utility will not need to sign off the final plans, but will need a copy of the approved plans.
39. All operating private wells shall be identified and permitted by the Madison Water Utility and all unused private wells shall be abandoned in accordance with MGO Sec. 13.21.

**Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:**

40. Provide the following information to the buyer of each individual lot: "The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e)."

**Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following two (2) items:**

41. The developer shall pay approximately \$103,262.88 for park dedication and development fees for the 29 single-family lots (a credit is given for the existing single-family residence on the property) based on a fee in lieu of dedication of \$2,684.00 per unit and park development fee of \$1,003.96 per single-family unit. The developer must select a method for payment of park fees before signoff on the final plat. This development is within the Elver Park impact fee district (SI30). Please reference ID# 13163 when contacting the Parks Division about this project. Note: Park impact fees are adjusted on January 1 of each calendar year, and the park impact fees due at the time of building permit issuance may be higher than the amounts stated above to reflect these annual adjustments.
42. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right of way. Permission for such activities must be obtained from the City Forester, 266-4816.

**Please contact my office at 261-9632 if you have any questions about the three (3) items:**

43. That a variance to the 100-foot minimum lot depth required in Section 16.23(8)(d)3 of the Subdivision Regulations is hereby granted for Lots 3-11 of the preliminary plat.
44. The approval of this preliminary plat grants no specific authority to demolish or remove the single-family residence at 8839 Ancient Oak Lane. Concurrent with the review of the final plat, the applicant shall receive approval of a demolition permit pursuant to Section 28.185 of the Zoning Code. However, the general intent to demolish this structure is acknowledged as part of the approval of the preliminary plat. The future application to demolish the residence shall include photographs of the interior and exterior of the building as well as a written assessment of its condition and the potential for any buildings to be relocated to other sites.
45. Prior to submittal of the final plat, the applicant shall work with Planning Division in consultation with the City Engineering Division and Parks Division to explore opportunities to preserve the existing mature tree cover present on the eastern half of the property. Implementation of any tree preservation strategies identified may be a condition of approval of the final plat.

**Note: The Office of Real Estate Services did not provide comments on the preliminary plat but will have comments on the final plat once it is filed. If you have questions in the meantime, please contact Jenny Frese at 267-8719.**

**Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.**

Any appeal regarding the plat, including the conditions of approval related thereto, must be filed with the Circuit Court within thirty (30) days from the date of this letter. The approval of this final plat shall be null and void if not recorded in twelve (12) months from the date of this letter. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks  
Planner

cc: Janet Dailey, City Engineering Division  
Eric Halvorson, Traffic Engineering Division  
Kay Rutledge, Parks Division  
Pat Anderson, Assistant Zoning Administrator  
Bill Sullivan, Madison Fire Department  
Dennis Cawley, Madison Water Utility  
Jennifer Frese, Office of Real Estate Services  
Dan Everson, Dane County Planning & Development