



Department of Planning & Development
Planning Unit

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March 29, 2005

Brian Munson
Vandewalle & Associates
120 East Lakeside Street
Madison, WI 53715

SUBJECT: Linden Park

Dear Brian:

This is to inform you that the Plan Commission, at its meeting of January 24, 2005, recommended approval of the final plat of Linden Park and rezoning this property from Temporary A to R2T, R2Y, R2Z, Conservancy and Agriculture, City of Madison, Dane County, Wisconsin.

The Common Council conditionally approved the final plat on February 1, 2005.

The conditions of approval are:

Please contact John Leach, City Traffic Engineering, at 266-4761 if you have questions regarding the following eight items:

1. The plat shall provide the following note on the face of the plat: "The City will not install lighting in the alleys (Outlots 7, 8, 10, 13, 14, 15, 16, 21) but the developer or property owners may request the City to approve a private light(s) in the alley right-of-way. This private light(s) to be operated and maintained by private interests."
2. The applicant shall execute a waiver of notice and hearing on special assessments for the future traffic signal and associated street improvements at the intersections the City plans to signalize. The traffic signal waiver shall also require a deposit for future area traffic signals and associated intersection changes.
3. The applicant shall execute and return the attached declaration of conditions and covenants for street lights and traffic signals prior to sign-off.
4. Utility easements shall be provided as follows:

Between Lots	Between Lots	Between Lots
O.L. 1 & 1	82 & 83	193 & 194
2 & 3	87 & 88	196 & 197
4 & O.L. 3	91 & 92	202 & O.L. 17
5 & 6	95 & 96	205 & 206

8 & 9	101 & 102	209 & 210
10 & 11	113 & 114	212 & O.L. 18
12 & 23	115 & 116	216 & O.L. 19
26 & 27	121 & 122	219 & 220
33 & 34	123 & O.L. 10	226 & 227
43 & 44	126 & 127	230 & 231
43 & 45	130 & O.L. 12	233 & 234
50 & 61	140 & O.L. 12	236 & 237
51 & 61	141 & 142	246 & 247
52 & 53	144 & 145	249 & 250
56 & 57	150 & 151	258 & 259
69 & 70	174 & 175	260 & 261
73 & 74	177 & 178	
78 & O.L. 5	181 & 182	

5. The applicant shall show a detail drawing of the 12-foot utility easement dimensions and lot lines on the face of the plat.
6. The applicant shall execute and return the attached declaration of conditions and covenants for street lights and traffic signals prior to sign off.
7. The developer will need to demonstrate/provide how private streetlights will be installed and maintained in the public alleys. The plat shall provide the following note on the face of the plat: "The City will not install lighting in the alleys, but the developer or property owners may request the City to approve a private light(s) in the alley right-of-way. Such private light(s) to be operated and maintained by private interests."
8. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

The Madison Police Department had the following recommendation:

9. Need some traffic calming on Street "E", possibly roundabouts or some other type. Once developed this will become a speed thoroughfare. Currently we have many complaints on Valley View Road and Redan Drive. Need some built in measures to slow down traffic.

Please contact Gary Dallmann, City Engineering, at 266-4751 if you have questions regarding the following twenty-eight items:

10. All proposed street names are subject to approval of the City Engineer.
11. The developer shall work with the City on the geometric design of "F" Street where it splits and the intersection of "F" Street and "G" Street. The developer shall revise the right-of-way dedication as required by the City Engineer.
12. Any portion of the proposed plat that drains westerly, shall pay Impact Fees for downstream storm and sanitary sewer systems – both rates are yet to be determined.
13. Any portion of the proposed plat that drains easterly shall pay impact fees for downstream storm and sanitary sewer systems. This includes the Upper Badger Mill Creek Storm Water Impact Fee District and the Valley View Road Sewer and Drainage Impact Fee District (in process).

14. Development of the plat must be shared to coincide with the availability of downstream public storm and sanitary systems.
15. Storm and sanitary sewer is not available for any portion of the proposed plat that drains westerly. Development of this portion of the plat cannot occur until 2007 at the earliest.
16. The developer shall be responsible for 14-feet of asphaltic pavement and curb and gutter on Valley View Road. The above includes all costs to construct the portion of the street the developer is responsible for.
17. The applicant shall enter into a City/Developer agreement for the installation of public improvements required for this plat/csm. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer.
18. Two weeks prior to recording the final plat, a soil boring report prepared by the 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.
19. The right-of-way width on Redan Drive at the south end shall be 74-feet, and on Lone Oak Lane at the south end shall be 86-feet.
20. "M" Street shall have a minimum centerline radius of 150-feet.
21. The plat/csm shall show a temporary limited easement for a temporary cul-de-sac on "E" Street and "H" Street having a radius of 50-feet and a reverse curve radius of 50-feet. The easement(s) shall expire when the streets are extended.
22. The Developer shall construct Madison Standard street improvements for all streets within the plat/csm.
23. The developer shall note that City funds for park frontage are limited and will be determined at the sole discretion of the City.
24. Value of sidewalk installation over \$5000. The applicant shall construct sidewalk to a plan approved by the City Engineer along Valley View Road. (Also require the City/Developer agreement line 1.1.)
25. The developer shall make improvements to Valley View Road to facilitate ingress and egress to the plat/csm.
26. An erosion control plan and land disturbing activity permit shall be submitted to the Engineering Division for review and approval prior to recording the final plat/csm. 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.
27. The following notes shall be included on the final plat:
 - a. All lots within this plat are subject to a non-exclusive easement for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easement shall be 12-feet in width on the perimeter of this 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.

28. 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 this 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.

The following note shall accompany the master storm water drainage plan:

For purposes of this plan, it is assumed that grading shall be a straight line grade between points unless otherwise indicated. All slopes shall be 0.75% or steeper. Grade breaks between lot corners are shown by elevation or through the use of drainage arrows.

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

- 29. Prior to recording, this plat shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Contact Greg Fries at 267-1199 to discuss this requirement.
- 30. This site is greater than one (1) acre, and the Developer is required by State Statute to obtain a Notice of Intent Permit (NOI) from the Wisconsin Department of Natural Resources. Contact Jim Bertolacini of the WDNR at (608) 275-3201 to discuss this requirement.
- 31. NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR-151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter 111. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

32. All outstanding Madison Metropolitan Sewerage District (MMSD) sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
33. Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
34. 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 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 Surveyor shall identify monument types on all PLS corners included on the Plat or CSM.
Note: Land tie to two PLS corners required.
35. In accordance with Section S. 236.18(8) Wisconsin Statutes, the Developer's Surveyor shall reference City of Madison NAD 1927 Coordinates on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. City of Madison has established NAD 1927 coordinates on all PLS corners within its corporate boundary. If a surveyor encounters an area without a published NAD 1927 value, contact Engineering Division for this information.
36. The applicant shall submit to Eric Pederson, at the time of Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the final plat/CSM to the Mapping/GIS Section of the Engineering Division. **The digital copies shall be submitted in both NAD 27 and WIDOT County Coordinate System, Dane County Zone datums and be consistent with previous formats delivered to the City by the applicant and contain the minimum of the following, each on a separate layer name/level number:**
 - a. Right-of-Way lines (Public and private)
 - b. Lot lines
 - c. Lot numbers
 - d. Lot/Plat dimensions
 - e. Street names
 - f. Easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

NOTE: This transmittal is a separate requirement than the required submittals to Bob Arseneau for design purposes.

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

37. In accordance with Section s. 236.34(1)(c) which says a CSM shall be prepared in accordance with s. 236.20(3)(c) & (f), Wisconsin Statutes, the applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (site Register of Deeds recording data) and easements which are being conveyed by the Plat/CSM. Identify the owner and/or benefiting interest of all easements.

Please contact Kathy Voeck, the Assistant Zoning Administrator, at 266-4551 if you have questions regarding the following four items:

38. Lots 131 through Lot 140 shall front on an improved public street having a width of at least 60-feet unless approved with a lesser width as part of the plat approval, in order for building permits to be issued on these lots per 28.04(10)(b).
39. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit to Zoning a copy of the approved plan for recording prior to Zoning sign-off on the plat.
40. Provide a grading plan of the plat to show that usable open space requirements can be met on the lots in the amount of 800 square feet per lot in the R2T, 500 square feet per lot in the R2Y and 400 square feet per lot in the R2Z district. Usable open space shall be in a compact area of not less than 200 square feet and having no dimensions less than 10-feet and having a slope no greater than 10 percent. Note: Including, but not limited to, Lots 210 and 211 (R2T) may not meet the grade slope requirement. Including, but not limited to Lots 188, 189, 195, 196 and 221 (R2Y) may not meet the grade slope requirements. Adequate usable open space shall be provided in order to obtain a building permit. There is no authorized variance to approve a site plan that does not have adequate usable open space.
41. Remove reference to the Planned Unit Development, General Development Plan, pages 13, 14 and 15 of your documents.

Please contact Pete Olson of the Planning Unit staff at 266-4635 if you have questions regarding the following three items:

42. Final sign-off on the Inclusionary Dwelling Unit Plan and recording of the land use restriction agreement prior to or concurrent with the recording of the plat.
43. The Plan Commission should decide if it is necessary to relocate one inclusionary unit from one of the blocks with five inclusionary units to one of the blocks south of the main east-west road.
44. The phasing of infrastructure improvements in the subdivision improvement contract shall be approved by the City Engineer and timed to enable services to be extended to the property immediately to the west (the Holly property).

Please contact the Madison Water Utility at 266-4651 if you have questions regarding the following three items:

- 45. All public water mains and water service laterals shall be installed by Private Contract except water mains on Valley View Road may be installed by Assessment Reimbursement Agreement.
- 46. All unused private wells shall be abandoned in accordance with Madison General Ordinance 13.21.
- 47. The Water Utility will not need to sign off on the final plans, but will need a copy of the approved plans.

Please contact Si Widstrand, City Parks Division, at 266-4711 if you have questions regarding the following four items:

- 48. Park Dedication of only 1.91 acres is acceptable in the current plan. The remaining 4.68 acres of required dedication shall be taken as a fee in lieu of land, fee estimated at \$280,800. Revisions to the school site plan may produce a larger park dedication if approved by the Parks Division.
- 49. A park development fee of \$203,449.50 is also required.

Dedication/Fee Calculations

Dedication = 261 @ 1100 square feet = 287,100 square feet. 83,375 square feet will be accepted as dedication. The remaining 203,725 square feet will be taken as a fee in lieu of dedication.

Fees in lieu of Dedication are based on the actual value of the acreage otherwise required for dedication, with a maximum value of \$1.65/square foot, adjusted January 1 of each year. The value is determined by the Planning Real Estate Unit and is based on the land value prior to development approval. The maximum land fee would be \$336,146 (estimated fee is \$280,800).

The Park Development Fee is	261 @ \$779.50 =	\$203,449.50
TOTAL PARK FEES ARE ESTIMATED AT		\$484,249.50

Half of the fees shall be paid prior to sign off on the final plat, with a letter of credit provided to cover the other half. Or fee payments may be phased with plat construction phases.

- 50. Utility easements shall not be allowed across parkland without prior approval of the Parks Division (to avoid conflicts with future expansion, grading and facility plans).
- 51. Trail access corridors shall be provided across the private open spaces either as an easement for public use, or as a provision in the covenants that clearly allows public use.

Please contact Scott Strassburg, Madison Fire Department, at 266-4484 if you have questions regarding the following three items:

- 52. The alley identified as O.L. 13 on the preliminary plat shall be constructed as a Fire Lane as required by IFC 503, as follows:
 - a. Minimum unobstructed width of 20-feet.
 - b. Posted with approved No Parking Fire Lane signs.

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- c. Provided with a rolled curb at the intersections.
- d. Support an imposed load of 80,000 pounds.

53. A temporary turnaround shall be provided at the end of “A” Street, “H” Street, “N” Street and at both ends of “E” Street as required by MGO 34.19.

54. Fire hydrants shall be located as required by MGO 34.20.

Please contact Jeff Ekola, Real Estate Section, at 267-8719 if you have questions regarding the following item:

55. The satisfaction and adherence to all requirements of the Real Estate Unit upon final review of the title report, please contact Jeff Ekola at 267-8719 regarding this matter.

() A copy of a plat showing required public utility easements is being sent to your surveyor.

The plat shall be approved by the State Department of Development.

The plat covenants and restrictions for this subdivision will be submitted to the Planning Unit staff for review and approval.

Any appeal from the action, including the conditions of approval, must be filed with the Circuit Court within thirty days from the date of this letter. Upon receipt of this letter, please contact Planning Unit staff at 266-4635 about the steps that should be taken to meet these conditions and receive sign-off from the reviewing agencies that must review the plat. These agencies are highlighted on the attached form.

Sincerely,

Peter Olson
Planner II

Enclosure

cc: City Engineering
Traffic Engineering
Zoning Administrator
Real Estate – Jeff Ekola
Surveyor:

Traffic Engineering
City Engineering
Zoning
Planning
Parks Division
Fire Department
Real Estate