

**PLANNING DIVISION REPORT  
DEPARTMENT OF PLANNING AND COMMUNITY  
AND ECONOMIC DEVELOPMENT  
Of October 31, 2007**

**RE: ID #07841, Certified Survey Map – 6810 Cross Country Road, Town of Verona**

1. Requested Action: Consideration of a three-lot Certified Survey Map (CSM) of the Thompson property located at 6810 Cross Country Road in the southeast quarter of the southwest quarter of Section 11, Township 6 N, Range 8 E, Town of Verona, Dane County, Wisconsin within the City of Madison's Extraterritorial Jurisdiction.
2. Applicable Regulations: Section 16.23, Land Subdivision Regulations, Madison General Ordinances provides the requirements for land divisions located within the corporate limits of the City of Madison or within the Extraterritorial Plat Approval Jurisdiction.
3. Report Prepared By: Timothy M. Parks, Planner and other Planning Division staff.

**GENERAL INFORMATION**

1. Property Owner: Gregory Thompson; 4610 Milwaukee Street; Madison.  
  
Agent: Ron Trachtenberg, Murphy Desmond, SC; PO Box 2038; Madison.  
  
Land Surveyor: Burse Surveying & Engineering, Inc.; 1400 E. Washington Avenue, Suite 158; Madison.
2. Requested Action: Approval of a certified survey map to allow for the division of approximately ten acres of land into three residential lots.
3. Parcel Location: Generally located on the north side of Cross Country Road, a third of a mile west of East Pass, in the Town of Verona; Verona Area School District.
4. Existing Zoning: County A-2 (Agriculture District)
5. Existing Land Use: Existing farmhouse and various farm-related outbuildings and pens.
6. Proposed Land Use: The applicant proposes to create three parcels in county RH-1 and RH-2 (Rural Homes District) zoning.
7. Surrounding Land Use and Zoning:  
North: Badger Prairie County Park, zoned County A-2 (Agriculture District);  
  
South: Badger Prairie County Park, zoned County A-2; single-family residences on town lots, zoned County RH-1 (Rural Home District);

West: Single-family residence on large lot, zoned RH-1; Dane County parkland, zoned County A-2; Reddan Soccer Complex, zoned County RE-1 (Recreation District);

East: Single-family residences in the Heather Glen Addition to The Crossing subdivision in the City of Madison and Glacier Crossing [City] Park, zoned R2 (Single-Family Residence District)

8. Basis for Referral: Criteria for non-agricultural land division.
9. Environmental Corridor Status: Lands immediately adjacent to the eastern property line are mapped as an environmental corridor as publicly owned lands for the City park corridor that forms the western edge of the Heather Glen subdivision. Note: Environmental corridors are only mapped on lands within an Urban Service Area. This property is not within the Central Urban Service Area.
10. Public Utilities & Services:
  - Water: Property is not served by municipal water
  - Sewer: Property is not served by municipal sewer
  - Fire protection: Verona Fire Department
  - Emergency medical services: Fitch-Rona Emergency Medical Services
  - Police services: Dane County Sheriff's Department – District W4
  - School District: Verona Area School District

## ANALYSIS AND EVALUATION

**Proposed Land Division:** The applicant is requesting approval of a land division creating three residential parcels in the Town of Verona on the north side of Cross Country Road, approximately 1,800 feet west of East Pass. The site is developed with a two-story farmhouse located in the southwestern quadrant of the site. Various farm-related accessory buildings were historically located throughout the site, including a barn and grain bins located near the center of the 9.9-acre site. The applicant has demolished some of these accessory buildings, including the barn, in recent months. Overall, the property has a gentle slope from north to south with the exception of an 8-10 foot tall berm recently constructed by the applicant along the eastern two-thirds of the southern property line adjacent to Cross Country Road. The site is generally devoid of any significant vegetation.

The eastern property line adjoins the Madison city limits, with The Heather Glen Addition to The Crossing single-family subdivision located immediately to the east of the site. The western edge of that subdivision is formed by City of Madison parkland (Glacier Crossing Park). Badger Prairie Park is located across Cross Country Road to the southeast of the site, while a small line of single-family residences on 2-3 acre lots are located opposite the site to the southwest. A new single-family residence has been constructed on a five-acre parcel immediately west of the property, with County parklands located further to the west and immediately north of the subject site. Reddan Soccer Park is located further west of the site along Cross Country Road.

Lots 1 and 3 of the proposed CSM will each contain approximately 240 feet of frontage along

Cross Country Road and three acres of land exclusive of an approximately 60-foot wide strip of additional right of way to be dedicated with the approval of this CSM for the road. Lot 2 will contain approximately 320 feet of road frontage and four acres of lot area. In 2005, Dane County conditionally approved the rezoning of proposed Lots 1 and 3 from County A-2 agriculture zoning to RH-1 rural home zoning, while Lot 2 was conditionally rezoned to RH-2 rural home zoning on the same application. County RH-1 zoning requires a minimum of two acres of lot area per lot, while RH-2 zoning requires a minimum of four acres of lot area. The farmhouse on Lot 3 will be set back 57.6 feet from the proposed front property line and 76 feet from Lot 2. The application indicates that the existing farmhouse may remain following the demolition, while the other two lots will be marketed for new single-family homes.

The Certified Survey Map of the property proposes to establish building envelopes on all three proposed lots. A 140-foot front building line parallel to Cross Country Road will extend the length of the three lots, while an approximately 183.5-foot rear building line will parallel the line shared with Badger Prairie Park to the north of the site. In addition, a 50-foot side building line is proposed on Lot 1 adjacent to Glacier Crossing Park and a 10-foot building line is proposed on Lot 3 adjacent to the single-family property to the west of the subject site. The resulting envelope on each lot will be approximately 216 feet in depth on which principal and accessory buildings may be built. The front and rear building lines generally account for 60% of the lot depth of the three lots and represent land that may not be developed, resulting in a significant buffer between any new buildings constructed on the three lots and both Badger Prairie Park and Cross Country Road. The existing farmhouse is located within the front no-building zone and may remain there. However, should the farmhouse be demolished and a new residence constructed, it would be required to be located within the proposed building envelope.

**Approval of CSM by Town of Verona and Dane County:** Section 16.23 (7) (c) of the Subdivision Regulations requires that subdivisions in the City's Extraterritorial Plat Approval Jurisdiction receive approval from the town of record and Dane County prior to consideration of the request by the Plan Commission.

The Town Board of Verona approved an earlier rezoning and land division request for the subject property on or around April 19, 2005. Dane County granted conditional approval of the previous land division and rezoning as outlined in a letter dated June 8, 2005 from Norbert Scribner, Land Division Review, Dane County Department of Planning and Development. However, the 2005 survey was reviewed by the Madison Plan Commission and was rejected. The 2005 town and county approvals have subsequently lapsed.

The current land division proposal is very similar to the 2005 proposal with the exception of the addition of the building envelope, which was added at the recommendation of City staff in an effort to reduce the visual impact of any new structures from Cross Country Road and Badger Prairie Park. The building envelope will also result in a similar land use pattern as exists on the single-family parcel adjacent to the west.

The applicant has not received approval from the town and county for the current proposal at this time. The applicant has requested that the Plan Commission review the proposed land division in advance of town and county review. Staff feels that the previous town and county approvals will

suffice to allow the Plan Commission to render a decision at this time. Should the Plan Commission approve the current Certified Survey Map proposal, the applicant will be required to receive current town and county approvals for the current version prior to final City signoff and recording of the CSM.

The 2005 town and county approvals of the rezoning and land division of the property were made contingent upon a deed restriction barring further division of these three lots until such time as municipal water and sewer are available to the site. The approvals also include a restriction limiting access to Cross Country Road to no more than two driveways for the three total parcels. Staff anticipates that similar restrictions will be placed on the three proposed lots if the Plan Commission, Town Board and Dane County approve the current land division request.

**City of Madison Land Use Plan:** The Cross Country Neighborhood Development Plan and Comprehensive Plan generally recommend the areas adjacent to the southern and western City limits, including the subject site, for park, drainage and open space uses. This designation reflects the recommendations of the 1993 Ice Age Trail Junction Area Project Plan developed by an intergovernmental advisory committee. The parkland and other open space at the western edge of the City of Madison adjacent to the subject parcel was established as a part of the implementation of this plan. Also as part of implementing the Ice Age Trail Junction Area Project Plan, most of the property west of the City limits was purchased by Dane County for open space uses, including the land now developed with a soccer facility. Unfortunately, about 15 acres surrounding the existing farmstead buildings were excluded from the County purchase, in effect leaving potentially developable lands in private ownership within the recommended open space corridor.

**Land Division Criteria:** The Subdivision Regulations provide two criteria for consideration of land divisions in the City's extraterritorial plat approval jurisdiction:

*Agricultural Land Division Criteria:* The Plan Commission may grant approval of a land division subdividing portions of agricultural lands provided that the Commission shall determine that the proposed land division will assist and assure the continuation of the agricultural use.

*Non-Agricultural Land Division Criteria:* In the case of nonagricultural lands, the Plan Commission may recommend approval of a subdivision to the Common Council or may grant approval of a land division provided that the Plan Commission shall determine that the proposed subdivision or land division complies with each of the following four criteria:

- a. The proposed subdivision or land division shall be compatible with adjacent land uses and shall maintain the general land use pattern of the area in question.
- b. The proposed subdivision or land division shall result in a development pattern that is compatible with surrounding developments and land uses. Measures of compatibility shall consider lot sizes, traffic generation, access, noise and visual features.
- c. The proposed subdivision or land division and the resulting development shall not

demonstrably adversely affect the City's ability to provide public services, install public improvements or accomplish future annexations. The Plan Commission may consider annexation agreements with the property owner in order to comply with this requirement. The Plan Commission may also consider whether the City and Town(s) have reached an agreement on necessary public improvements and public services facilities required to serve the development.

- d. The proposed subdivision or land division shall comply with one of the following:
  - i. The proposed subdivision or land division shall represent infilling of vacant land. Infilling is defined as a subdivision or land division which will accommodate the development of vacant land located such that surrounding existing land uses render the land impractical for any but similar uses.
  - ii. The proposed subdivision or land division shall provide permanent open space lands for use by the general public in conformance with the adopted Parks and Open Space Plan for Dane County, Wisconsin, the City of Madison adopted Parks and Open Space Plan or the City's other adopted Master Plan elements, including the Peripheral Area Development Plan. The permanent open space lands shall be accessible and open for use by the general public. The open space lands shall be exclusive from, and in addition to, lands required for dedication to comply with applicable public parks and open space dedication requirements and shall be provided at a ratio of two acres of permanent open space lands for every one-acre of developed lands, including street rights of way. For the purpose of this provision, wetlands, flood plain lands, steep slopes, or other lands which are not developable because of sensitive environmental features shall not be counted as permanent open space lands in calculating the ratio of permanent open space lands provided versus developed lands. Steep slopes shall include lands which have grades of twenty percent (20%) or more.

Although this parcel was historically part of a larger agricultural site, the applicant intends to market the proposed lots for residential purposes. As a result, the land division will be reviewed as a non-agricultural land division.

In reviewing the proposed land division against the non-agricultural standards above, the Planning Division believes that the standards can be met. Staff believes that the proposed land division is compatible with adjacent land uses and maintains the general land use pattern along this portion of Cross Country Road, which includes a newer single-family residence located on a five-acre parcel west of the site, which was created within the last ten years, and across Cross Country Road from six longer-established parcels of similar size to those proposed. The proposed land division is also generally compatible with the more urban subdivision pattern located east of the site in the Heather Glen Addition to The Crossing subdivision, a moderately dense single-family development in the City. This established yet varied residential subdivision pattern to the southwest, east and west leads the Planning Division to conclude that the proposed land division represents a land use that is reasonably compatible with surrounding developments

and land uses. Staff also believes that the proposed request also represents infilling of the land with uses similar to those surrounding as required in the non-agricultural land division criteria.

The Cross Country Neighborhood Development Plan and Comprehensive Plan both identify the subject site for future park, drainage and open space uses, which is consistent with the county purchase of open space lands for the Ice Age Trail north and west of the site, portions of which were formerly part of this property. It is typically not Dane County's policy to purchase land with improvements "unless they are a vital component of the project," which resulted in the subject parcel being left as a remnant.

Because the site is generally located adjacent to two open space corridors, the Planning Division believes that any significant amount of development of the remnant would be incompatible with the park and open space tracts. However, the Planning Division does not believe that the three lots proposed represent significant development, particularly due to the applicant-proposed building lines, which will serve to reduce the visual impact on the 3-4 acre lots. Staff feels that the resulting houses on the three large lots, while clearly not in strict conformance with the open space land use recommendations in the Cross Country NDP and Comprehensive Plan, are also not totally incongruous with those recommendations for the site and surrounding area either.

The Planning Division believes that the three lots proposed also represent a reasonable use of the property. Given the relatively isolated location, the very small probability that the County would ever buy the land for open space, and provided that adequate measures are taken to minimize the visual impact of the future homes on the adjacent designated open space, the requested land division may be an acceptable outcome considering alternative developments which have been, and could be, proposed for this property.

On June 19, 2006, the Plan Commission was given an information presentation by a local development group that was interested in developing the subject site with approximately 30 single-family garden homes to be served by a private road loop following the annexation of the 9.9-acre site into the City and the extension of municipal utilities. The residential proposal would require an amendment to the Cross Country Neighborhood Development Plan in order for a zoning map amendment, development plan and subdivision of the property to be approved. The intent of the presentation was to gauge Plan Commission interest in amending the plan to call for low-density residential development instead of park, drainage and open space uses on this site. Following the presentation, the Commission expressed a desire to not amend the Cross Country Neighborhood Development Plan to accommodate the proposed development and encouraged staff to continue to pursue efforts to have the property acquired for open space purposes consistent with existing plan recommendations and adjacent open space parcels. However, Parks Division staff indicated recently that neither the City nor the County have any plans to purchase the subject property.

The City of Madison, however will not support further subdivision of the subject site on future applications regardless of whether municipal services are provided. As a result, staff requests that the applicant record a restrictive covenant acknowledging that no further subdivision of this land will be allowed under any circumstances. [The applicant may include this restriction in an altered

version of the restriction previously required by the Town of Verona and Dane County if they are still so inclined.]

Finally, the City of Madison and the City of Verona entered into an Intergovernmental Agreement in 1996 that addressed land use and future boundary issues between the two communities. One of the facets addressed in the agreement was development along Cross Country Road and adjacent to the open space corridor, recommended in the Ice Age Trail Junction Area Project Plan. The agreement includes a requirement that a 300-foot landscaped buffer be provided on both the north and south sides of Cross Country Road to aid in the creation of a permanent open space separation zone between the two urban communities. Any reduction in this corridor must be approved by both the City of Verona and the City of Madison. When the Heather Glen Addition to the Crossing subdivision was developed immediately east of this site, the width of this corridor was reduced but a significant berm and landscaping plan was provided to comply with the agreement. The applicant has already begun installation of a substantial berm along the eastern two-thirds of the Cross Country Road frontage that may be incorporated into a possible reduction of the 300-foot setback requirement. However, a landscaping plan will be required to further address the visual impact of the homes constructed on the three proposed lots if the requested land division is approved.

### **CONCLUSION**

The applicant is requesting approval of a Certified Survey Map creating three lots from a 9.9-acre parcel. The division creates three lots that are generally in keeping with other lots located across Cross Country Road to the southwest and are similar in character to a single-family lot located west of the site, and which conform to County rural home zoning requirements. Staff believes that the land division is compatible with adjacent land uses, maintains the general land use pattern along this portion of Cross Country Road and represents infilling of vacant lands as required by the Subdivision Regulations, and concludes that the non-agricultural land division standards are met subject to the restriction prohibiting further subdivision as noted above.

### **RECOMMENDATION**

The Planning Division recommends that the Plan Commission **approve** this Certified Survey Map subject to the following comments, conditions or revisions:

1. Comments and conditions from reviewing agencies.
2. That the applicant receive approval of the current land division proposal from the Town of Verona and Dane County prior to final City of Madison approval of the Certified Survey Map for recording. Proof of town and county approval shall be in the form of correspondence from both entities noting said approvals. The City of Madison shall be added as a beneficiary of any property restrictions required by the town and county as part of their approvals.
3. That the applicant execute a restrictive covenant benefiting the City of Madison that prohibits further subdivision of the subject property. A note shall be placed on the final Certified Survey Map noting the same subdivision restriction.

4. That Certified Survey Map shall be revised to include a note indicating that the construction of any new principal or accessory buildings on these three lots shall be prohibited unless the new construction is located within the building envelope dedicated on the survey drawing. The existing residence on Lot 3 may remain outside the building envelope, however, no additions shall be permitted which extend the residence closer to Cross Country Road than the current front setback (57.6 feet).
5. That a 300-foot buffer parallel and adjacent to Cross Country Road be provided for all three lots and identified on the face of the CSM with a note stating that no new buildings or improvements, with the exception of driveways, shall be allowed within the 300-foot corridor. Any reduction of the 300-foot corridor shall be approved by both the City of Verona and the City of Madison Planning Division. A landscape plan shall be approved by both the City of Verona and the City of Madison Planning Division that includes the planting of a variety of native trees and shrubs within the buffer zone to soften the view of the future homes from the roadway.





Department of Public Works  
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.  
City Engineer

City-County Building, Room 115  
210 Martin Luther King, Jr. Boulevard  
Madison, Wisconsin 53703  
608 264 9275 FAX  
1 866 704 2315 Textnet



**Deputy City Engineer**  
Robert F. Phillips, P.E.

**Principal Engineers**  
Michael R. Dailey, P.E.  
Christina M. Bachmann, P.E.  
John S. Fahrney, P.E.  
Gregory T. Fries, P.E.

**Facilities & Sustainability**  
Jeanne E. Hoffman, Manager  
James C. Whitney, A.I.A.

**Operations Manager**  
Kathleen M. Cryan

**Hydrogeologist**  
Joseph L. DeMorett, P.G.

**GIS Manager**  
David A. Davis, R.L.S.

**Financial Officer**  
Steven B. Danner-Rivers

DATE: September 18, 2007  
TO: Plan Commission  
FROM: Larry D. Nelson, P.E., City Engineer  
SUBJECT: *for* 6810 Cross Country Road Certified Survey Map

The City Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. The property will be required to connect to City of Madison sewer when it becomes available at which time, these will be sanitary sewer assessments.
2. The Developer shall dedicate a 15-foot pedestrian and bike easement along Cross Country Road consistent with the developments to the east.

**GENERAL OR STANDARD REVIEW COMMENTS**

In addition, we offer the following General or Standard Review Comments:

**Engineering Division Review of Plats (Pre-Preliminary, Preliminary, Final)  
and Certified Survey Maps**

Name: 6810 Cross Country Road Certified Survey Map

**General**

- 1.1 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/csm without the agreement executed by the developer.
- 1.2 Two weeks prior to recording the final plat, a soil boring report prepared by a Professional Engineer, shall be submitted to the City Engineering Division indicating a ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9' below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
- 1.3 The Developer is required to pay Impact Fees for the \_\_\_\_\_ Impact Fee District for Lot(s) \_\_\_\_\_ of 17



the \_\_\_\_\_ Plat/CSM. The current rate is \$ \_\_\_\_\_ /1000SF for a total of \$ \_\_\_\_\_. The Developer shall select one of the following two options for payment of these fees:

- 1) Impact Fees shall be paid in full prior to Engineering sign-off of the plat/csm.
- 2) The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall have fourteen (14) days after receiving the invoices to pay the outstanding impact fees. The following shall be required prior to plat sign off;
  - a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a CADD file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision..
  - b) All information shall transmitted to Janet Dailey by e-mail at [Jdailey@cityofmadison.com](mailto:Jdailey@cityofmadison.com), or on a CD to:  
  
 Janet Dailey  
 City of Madison Engineering Division  
 210 Martin Luther King Jr. Blvd  
 Room 115  
 Madison, WI 53703
  - c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.

The Developer shall put the following note on the face of the plat:

**ALL THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT(S).**

**Right of Way / Easements**

- 2.1 The Applicant shall Dedicate a \_\_\_\_\_ foot wide strip of Right of Way along \_\_\_\_\_.
- 2.2 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping 40 feet wide along Cross Country Road.
- 2.3 It is anticipated that the improvements on [roadway name] \_\_\_\_\_ required to facilitate ingress and egress to the plat/csm will require additional right of way and/or grading easements located outside the plat/csm boundary. The developer shall acquire the right of way and/or sloping easements as required by the City at the developer's expense. In the event that the developer is unable to acquire the right of way and/or sloping easements required, the City shall assist the developer in acquiring the property and the developer shall pay the City for all costs associated with the acquisition.
- 2.4 The Developer shall petition for the street vacation of (roadway name) \_\_\_\_\_ and provide a legal description and sketch of the right of way to be vacated after consultation with the City Engineer.

**Are the following requirements met?**

- \* Streets Intersect at right angles.
- \* A 15 foot minimum tangent at intersections from PC of curve to property line.
- \* Arterial intersection spacing generally greater than 1200 feet.
- \* Jogs are avoided at intersections. Arterial streets shall be adjusted to align if spacing less than 300 feet.
- \* Spacing of intersections on local streets shall be greater than 300 feet.
- \* Cul-de-sacs shall be less than 1000 feet long.
- \* 100 foot tangents between curves.

- 2.5 \_\_\_\_\_  
\_\_\_\_\_
- 2.6 Property lines at intersections shall be rounded with a 15 foot radius on \_\_\_\_\_  
\_\_\_\_\_
- 2.7 Property lines at intersections shall be rounded with a 25 foot radius on \_\_\_\_\_  
\_\_\_\_\_
- 2.8 The right of way width on \_\_\_\_\_ shall be \_\_\_\_\_ feet, on \_\_\_\_\_ shall be \_\_\_\_\_ feet and on \_\_\_\_\_ shall be \_\_\_\_\_ feet.

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- 2.9 \_\_\_\_\_ shall have a minimum centerline radius of \_\_\_\_\_ feet and \_\_\_\_\_ shall have a minimum centerline radius of \_\_\_\_\_ feet and \_\_\_\_\_ shall have a minimum centerline radius of \_\_\_\_\_ feet.
- 2.10 The cul-de-sac on \_\_\_\_\_ shall have a minimum radius of \_\_\_\_\_ feet with a minimum reverse curve radius of \_\_\_\_\_ feet.
- 2.11 The plat/csm shall show a temporary limited easement for a temporary cul-de-sac on \_\_\_\_\_ having a radius of \_\_\_\_\_ feet and a reverse curve radius of \_\_\_\_\_ feet. The easement(s) shall expire when the streets are extended.
- 2.12 The developer shall show on the plat/csm a 40 foot utility easement adjacent to [roadway name] \_\_\_\_\_. The easement wording shall be approved by the City Engineer. The intent of the easement is to allow for the relocation of a major transmission line. The actual poles would remain on the right of way however major transmission lines require an easement beyond the space occupied by the poles for safety.
- 2.13 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.14 The Developer shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement \_\_\_\_\_ feet wide from \_\_\_\_\_ to \_\_\_\_\_.
- 2.15 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from \_\_\_\_\_ to \_\_\_\_\_. The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.
- 2.16 Public Sanitary Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sanitary Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sanitary sewer facilities.
  - b. No above-ground improvements shall be located in the Public Sanitary Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public sanitary sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c. Plantings and landscaping within the Public Sanitary Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d. The property owner shall not change the grade of the Public Sanitary Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
  - e. The Public Sanitary Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.17 The Public Sidewalk Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
  - b. No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c. Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d. The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
  - e. The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.18 The Public Storm Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Storm Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public storm sewer facilities.
  - b. No above-ground improvements shall be located in the Public Storm Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public storm sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)

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- c. Plantings and landscaping within the Public Storm Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.  
The Public Storm Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

2.19 The Public Water Main Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:

- a. The property owner reserves the right to use and occupy the Public Water Main Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public water main facilities.
- b. No above-ground improvements will be allowed in the Public Water Main Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
- c. Plantings and landscaping within the Public Water Main Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Water Main Easement Area(s) without the prior written approval of the City's Engineering Division.
- e. The Public Water Main Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

**Streets and Sidewalks**

- 3.1 The Developer shall construct Madison Standard street improvements for all streets within the plat/csm.
- 3.2 The developer shall show a 30 40 (*Strike one, 30 collector, 40 Arterial*) foot building setback line on the plat/csm adjacent to [Roadway Name] \_\_\_\_\_ for all lots in the plat/csm adjacent to said roadway.
- Note: No buffer strip shall be dedicated to the City as the City does not want the maintenance.*
- 3.3 Extensive grading may be required due to steep roadway grades.
- 3.4 The developer shall note that City funds for park frontage are limited and will be determined at the sole discretion of the City.
- 3.5 The developer shall construct sidewalk and record a waiver of their right to notice and hearings for the assessments for the improvement of [roadway] \_\_\_\_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO. Said sidewalk constructed in front of and waiver recorded to Lot(s) \_\_\_\_\_.
- 3.6 The Developer shall make the following improvement to [Roadway Name] \_\_\_\_\_. The Developer shall construct sidewalk and \_\_\_\_\_ feet of a future \_\_\_\_\_ foot roadway including curb and gutter on the \_\_\_\_\_ side of the roadway.
- 3.7 The Developer shall construct sidewalk to a plan approved by the City Engineer and complete ditching as required by the City Engineer along [Roadway Name] \_\_\_\_\_.
- 3.8 The Developer shall grade the right of way line to a grade established by the City Engineer and complete ditching along the roadway as specified by the city engineer along [Roadway Name] \_\_\_\_\_.
- 3.9 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along \_\_\_\_\_. (*Also require the City / Developer agreement line 1.1*)
- 3.10 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along \_\_\_\_\_. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.11 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] \_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and section 4.09 of the MGO.
- 3.12 The Applicant shall grade the property line along \_\_\_\_\_ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.13 Developer shall make improvements to [Roadway Name] \_\_\_\_\_ considered temporary to facilitate ingress and egress to the plat/csm until such time as the ultimate improvement of the roadway is undertaken by the city.

- 3.14 The Developer shall make improvements to [Roadway Name] \_\_\_\_\_ to facilitate ingress and egress to the plat/csm.

[Select one of the below comments for either of the above or leave general]

- The above improvement will consist of acceleration and deceleration tapers.
- The above improvement consists of rights turn lanes.
- The above improvement will consist of passing lanes.
- The above improvement will consist of median openings.
- Caution – The improvements indicated above may require right of way outside of the plat/csm. See comment 2.3 to require additional right of way for this purpose.*

- 3.15 The developer shall note the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat/csm.
- 3.16 The developer shall confirm that adequate sight distance exists on \_\_\_\_\_ where public streets intersect. If adequate sight distance does not exist, the developer shall change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make other mitigating improvements as required by the City.
- 3.17 All proposed street names shall be approved by the City Engineer. Applicant shall contact Lori Zenchenko (608-266-5952) with street name requests.
- 3.18 Installation of "Private" street signage in accordance with 10.34 MGO is required.
- 3.19 Coordinate all necessary new interior addresses associated with this proposed development with City Engineering Program Specialist Lori Zenchenko [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) or (608) 266-5952

#### Storm Water Management

- 4.1 An erosion control plan and land disturbing activity permit shall be submitted to the 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.
- 4.2 The following notes shall be included on the final plat:
- a. All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.
- NOTE: IN THE EVENT OF A CITY OF MADISON PLAN COMMISSION AND/OR COMMON COUNCIL APPROVED REDIVISION OF A PREVIOUSLY SUBDIVIDED PROPERTY, THE UNDERLYING PUBLIC EASEMENTS FOR DRAINAGE PURPOSES ARE RELEASED AND REPLACED BY THOSE REQUIRED AND CREATED BY THE CURRENT APPROVED SUBDIVISION.**
- b. The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.

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.

- 4.3 Arrows shall be added to the certified survey map indicating the direction of drainage for each property line not fronting on a public street. In addition, the certified survey map shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the certified survey map.
- a. Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.

- b. All lots within this certified survey 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 certified survey. 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 certified survey. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

**NOTE: IN THE EVENT OF A CITY OF MADISON PLAN COMMISSION AND/OR COMMON COUNCIL APPROVED REDIVISION 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.

- 4.4 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.

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

- a. 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.

- 4.5 If the lots within this certified survey map are inter-dependent upon one another for storm water runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the certified survey map and recorded at the Dane Co Register of Deeds.
- 4.6 The following note shall be added to the certified survey map. "All lots created by this certified survey map are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to storm water management at the time they develop."
- 4.7 This plat/csm could affect a flood plain, wetland or other sensitive areas. As such, it shall be reviewed by the Commission on the Environment. Contact Mike Dailey at 266-4058 for further details. The proposed plat/csm may be considered a major change to the environmental corridor and be subject to a public hearing and approval of the Dane County Regional Plan Commission.
- 4.8 A portion of this plat/csm may come under the jurisdiction of the US Army Corp of Engineers and Wisconsin Department of Natural Resources for wetland or flood plain issues or navigable waterway. A permit for those matters may be required prior to construction on any of the lots currently within the plat/csm. Contact the WDNR & USACOE for a jurisdictional determination.
- 4.9 Prior to recording the plat/csm, the applicant shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
- Detain the 2 & 10-year storm events.
  - Detain the 2, 10, & 100-year storm events.
  - Control 40% TSS (20 micron particle).
  - Control 80% TSS (5 micron particle).
  - Provide infiltration in accordance with NR-151.
  - Provide substantial thermal control.
  - Provide oil & grease control from the first 1/2" of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

- 4.10 This site is greater than one (1) acre and the applicant 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 275-3201 to discuss this requirement. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

- 4.11 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) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. 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 dedicate 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.

- 4.12 A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact Janet Dailey (608-261-9688) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

#### Sanitary Sewer

- 5.1 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
- 5.2 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 5.3 This land division contains or is adjacent to facilities of MMSD. Prior to approval, applicant shall provide evidence that MMSD has reviewed and approved the proposed land division.

#### Mapping / Land Records

- 6.1 Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. **Note: Land tie to two PLS corners required.**
- 6.2 In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference **City of Madison WCCS Dane Zone, 1997 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 WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City of Madison Engineering Division web address [http://gis.ci.madison.wi.us/Madison\\_PLSS/PLSS\\_TieSheets.html](http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html) for current tie sheets and control data. If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact Engineering Division for this information.
- 6.3. The Applicant shall submit to Eric Pederson, prior to Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the **final plat/CSM** to the Mapping/GIS Section of the Engineering Division. **The digital copies shall be submitted in both NAD27 & WIDOT County Coordinate System, Dane County Zone datums in either Auto CAD Version 2001 or older, MicroStation Version J or older or Universal DXF Formats and contain the minimum of the following, each on a separate layer name/level number:**
- 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 Engineering Streets Section 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.

- 6.4 In accordance with Section s.236.34(1) (c) which says a CSM shall be prepared in accordance with s.236.20(2) (c) & (f), Wisconsin Statutes, the Applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (cite 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.

- 6.5 Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), final CSM must be submitted to Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the FINAL CSM in PDF form is preferred. Transmit to [epederson@cityofmadison.com](mailto:epederson@cityofmadison.com)