

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of November 28, 2007**

RE: I.D. # 07763: Zoning Map Amendment ID 3324-3326, Rezoning 4131 Marsh Road from Temp. M1 to M1, A & W and I.D. #08292, Approval of the Preliminary Plat of Tradesmen Industrial Park

1. Requested Actions: Approval of a request to rezone approximately 90.6 acres located at 4131 Marsh Road from Temp. M1 (Limited Manufacturing District) to M1, A (Agriculture District) and W (Wetland District) and approval of a preliminary plat creating 22 industrial lots and 3 outlots.
2. Applicable Regulations: Section 28.12 (9) provides the process for zoning map amendments. The subdivision process is outlined in Section 16.23 (5)(b) of the Subdivision Regulations.
3. Report Prepared By: Timothy M. Parks, Planner.

GENERAL INFORMATION

1. Applicant & Property Owner: Joseph R. Gallina, QRS Company & Gallina Investments; 8500 Greenway Boulevard, Suite 200; Middleton; Craig Enzenroth, representative.

Surveyor: Bill Biesmann, Vierbicher Associates; 999 Fourier Drive, Suite 201; Madison.
2. Development Schedule: The applicant wishes to begin construction during spring 2008, with completion anticipated in fall 2011.
3. Location: Approximately 90.6 acres of land located on the east side of Marsh Road generally south of Voges Road, Aldermanic District 16; Madison Metropolitan School District.
4. Existing Conditions: Undeveloped land, zoned Temp. M1 (Limited Manufacturing District).
5. Proposed Land Use: 22 industrial lots, zoned M1 (Limited Manufacturing District), 2 outlots, zoned W (Wetlands District) and 1 outlot for future development, zoned A (Agriculture District).
6. Surrounding Land Use and Zoning:
North: Marsh Road Industrial Subdivision (aka Waubesa Business Center), zoned M1 (Limited Manufacturing District);

South: Wingra Stone quarry and April Hill single-family subdivision in the Town of Blooming Grove;

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East: Undeveloped lands in the Town of Blooming Grove; single-family residences in the Secret Places at Siggelkow Preserve subdivision, zoned R2T (Single-Family Residence District);

West: Single-family residences in the Town of Blooming Grove; various commercial and industrial lots, zoned M1.

7. Adopted Land Use Plan: The Marsh Road Neighborhood Development Plan identifies the northern 75 acres of the subject site for industrial uses. The southern portion of the site is identified as part of the existing quarry and is recommended for future low-density residential uses following the end of the adjacent quarrying.
8. Environmental Corridor Status: The majority of the subject site is not located within a mapped environmental corridor with the exception of portions of the northern and eastern property lines, where an environmental corridor is present parallel to an open drainageway located on adjacent properties. Delineated wetlands generally parallel to the drainageway are shown on the preliminary plat but not identified on the corridor map. Additionally, small areas of steep slopes in excess of 12% and one area of woodlands are shown on the corridor map relative to this site. The subject property was annexed after May 7, 1982 and is therefore subject to shoreland zoning relating to the size of lots within 300 feet of either the high-water mark of a navigable waterway or the landward side of a floodplain.
9. Public Utilities & Services: The 22 industrial lots proposed can be served by municipal services. The southerly 15.76 acres of the site comprising the outlot for future development is not located in the Central Urban Service Area. An amendment to add the southerly portion of the plat to the Urban Service Area will be required before the outlot is further subdivided for future development.

STANDARDS FOR REVIEW

This application is subject to the standards for zoning map amendments and preliminary plats.

PLAT REVIEW

The applicants are requesting approval of a zoning map amendment and preliminary plat to allow the future creation of 22 industrial lots and 3 outlots from an L-shaped, 90.6-acre parcel located at 4131 Marsh Road. The site is located near the eastern terminus of Voges Road approximately a quarter-mile south of Agriculture Drive in an area generally characterized by industrial uses to

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the north and west of the site and by single-family residences to the south and southeast. The subject site is bordered to the south by an active Wingra Stone Co. quarry, while the property to the east is undeveloped and includes significant wetlands. The site has approximately 400 feet of frontage on Marsh Road. The portion of Marsh Road adjacent to the site is shared with five single-family lots located in the Town of Blooming Grove and by an industrial parcel located in the City. A 56-foot long section at the northeastern corner of the site also abuts Interstate 39-90.

The subject site is characterized by a variety of notable topographical features. In general, the grade of the western half of the northern 75 acres of the site that will comprise the future industrial park slopes gradually from the south to the north. A plateau occupies most of the remaining future industrial lands further east, with steep slopes along the plateau's edges. The grade of the eastern half of the future industrial lands drains primarily to the north and east towards an engineered drainageway located on adjacent parcels, which parallels most of the northern and eastern property lines of the site. The drainageway flows through a large area of significant wetlands and a 100-year floodplain generally located southwest of Interstate 39-90. Both the wetlands and a 100-year floodplain extend onto the subject property and are delineated on the preliminary plat. Both the drainageway, floodplain and the wetlands located between the site and Interstate are mapped within an environmental corridor that appears to extend into the fringes of the subject property.

In addition, the corridor maps identify the slopes along the eastern and northern fringes of the plateau and a wooded area to its north as notable topographical features. Another significant feature of the future industrial lands is the presence of a high-pressure gas main extending in a 50-foot wide easement from approximately the middle of the northern property line of the site to the southeastern corner of the industrial park. The remaining 15.76 acres of the property comprising the outlot for future development generally falls from west to east from the property line bordering the quarry to the adjacent Secret Places at Siggelkow Preserve subdivision and is otherwise devoid of any other significant features.

The 22 industrial lots proposed will occupy approximately 68.7 acres of the site and will be zoned M1 (Limited Manufacturing District). Access to the proposed industrial park will be provided by a single public street entering the site from Marsh Road, which is shown on the plat as Kipp Street. This street will curve northward through the center of the site and will connect to an existing section of Kipp Street located in the Marsh Road Industrial Subdivision (aka Waubesa Business Center), an M1 zoned industrial subdivision similar to the park proposed on the subject site. The extension of Kipp Street will serve Lots 1-5 and 18-22, which will comprise the first phase of development. The remaining twelve industrial lots will make up the second phase and will be accessed by the extension of a second public street south and east from Kipp Street, which is shown on the plat as Kuehling Drive. Lots in the plat will range in size from 1.5

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to 4.3 acres with the exception of Lot 22, which will occupy the 12.76 acres of developable land located between the high-pressure gas pipeline and Interstate. Lot 22 will be connected to Kipp Street by a 50-foot wide strip of land as required by the Subdivision Regulations. In general, the largest lots in the proposed industrial park will be located in Phase I, with more uniformly shaped 1.5- to 1.95-acre lots located in Phase II.

A 75-foot buffer parallel to the wetland areas is identified on the preliminary plat. The impact on the development of the industrial park caused by the wetlands, buffers and 100-year floodplain will generally be limited to the northern and eastern edges of Lot 22.

Two outlots will be dedicated to the City for stormwater management and open space with the proposed subdivision. Outlot 1 will extend west of extended Kipp Street north of proposed Lots 1 and 3, while Outlot 2 will extend east from Kipp Street along the remainder of the northern edge of the site before turning south and extending along the eastern edge of the industrial park. The three areas to be rezoned to the Wetland zoning district are all located within these two outlots. The wetland area located on Outlot 2 will complete the identification and protection of similar areas identified with the Marsh Road Industrial Subdivision to the north of the subject site and the Secret Places at Siggelkow Preserve residential subdivision to the east.

The remaining 15.76 acres of the site extending south of the proposed industrial park between the adjacent quarry and Secret Places at Siggelkow Preserve residential subdivision are identified on the preliminary plat as an outlot for future development, which will be rezoned to the Agriculture zoning district pending the identification of the eventual future use of this land. At that time, a subsequent zoning map amendment will be required prior to further subdivision or development of the 15.76-acre parcel. The preliminary plat identifies two "public roadway easements" across the future development outlot to connect the industrial park to the north with the residential areas to the south and east of the site. It is anticipated that future subdivision or development of this portion of the subject site will result in those rights of way being dedicated to the City as public streets.

ANALYSIS & CONCLUSION

The proposed rezoning and 22-lot subdivision of approximately 68.7 acres of the 90.6-acre subject site for industrial purposes generally conforms to the land uses and general development pattern recommended for the majority of this property in the Marsh Road Neighborhood Development Plan. The proposed Tradesmen Industrial Park will continue the implementation of an industrial corridor extending along Voges Road through the northern half of the planning area, which will ultimately extend between the Wingra Stone quarry and the Beltline Highway.

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The Marsh Road Neighborhood Development Plan identifies light manufacturing and assembly uses as appropriate within the planning area while discouraging heavy manufacturing uses. The plan recommends that new industrial lands be rezoned to the SM Specific Manufacturing District as opposed to the more conventional M1 limited manufacturing zone. The SM zoning district was established to accommodate a variety of clean industrial production, assembly, storage, warehousing, and distribution uses located within enclosed, substantially constructed buildings. The scope of industrial uses in the SM district is very similar to the industrial uses in M1 zoning. However, unlike the M1 zoning district, commercial uses such as auto sales businesses and repair garages, business offices, taverns, banks and financial institutions and restaurants are not permitted in the SM district. The intent of requiring SM zoning for newly developing industrial uses in the Marsh Road Neighborhood Development Plan area was to preserve these lands for industrial expansion and to limit dilution of the industrial land with non-industrial uses as has occurred in other industrially zoned areas of the City.

SM zoning also requires design review of all buildings constructed by an architectural review committee established by the developer, following approval of the building design criteria and review procedures and committee membership by the Plan Commission. In the alternative, the developer may regulate building design in an SM-zoned plat by deed or plat restrictions approved by the Plan Commission.

However, instead of rezoning the Tradesmen Industrial Park to SM, the applicants are requesting M1 zoning for the property with the understanding that restrictions similar to those required for the Marsh Road Industrial Subdivision to the north would be applied at the request of Planning Division staff. When the Marsh Road Industrial Subdivision was approved in 2002, the site was zoned M1 with restrictive covenants recorded with the final plat that limited the uses in that development and established an architectural review committee to enforce design restrictions similar to those in the SM zoning classification. The Planning Division feels that the request to rezone the 22 proposed industrial lots to M1 zoning with restrictive covenants similar in scope to the restrictive covenants in place in the industrial subdivision to the north is appropriate. [Staff is aware of a general contractor's interest in relocating to proposed Lot 22, which staff feels may be an appropriate use of that portion of the plat provided that sufficient screening is provided as part of the site design.] Planning Division staff will work with the developers to craft the restrictions for this development following approval of the preliminary plat in anticipation of their submittal with the first final plat for the project.

In reviewing the design of the subdivision, the Planning Division feels that the lots proposed will satisfy the lot design standards in the Zoning Ordinance and Subdivision Regulations. This plat is subject to shoreland zoning requirements due to the presence of the drainageway located adjacent to portions of the northern and eastern property lines of the site and the associated floodplain.

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Under those requirements, a development lot can be no less than 100 feet in width, 15,000 square feet in area and have building coverage more than 30% of the lot. It appears that this restriction will apply to Lots 1, 21 and 22 as shown on the preliminary plat, which will be located within 300 feet of the water body and the landward side of the 100-year floodplain. All three lots far exceed the lot area required by ordinance and staff believes that despite Lot 22 only having 50 feet of frontage along extended Kipp Street, the intent of the ordinance is met in regard to the relative size of the lot. The final plat creating these lots shall include a note limiting building coverage on these lots to 30% as required.

As noted earlier, the subject site abuts Interstate 39-90 for 56 feet in the northeastern corner of the property. A 50-foot highway setback is identified on the preliminary plat in the northeasterly corner of Outlot 2. The Planning Division has determined that the highway noise abatement provisions in the Subdivision Regulations will not apply to this subdivision, however, as there will be no habitable or institutional structures allowed per the restrictive covenants proposed.

Finally, staff believes that the designation of the southerly 15.76 acres as an outlot for future development with interim A zoning is an appropriate solution for this portion of the site until such time as additional planning can be done for this part of the Marsh Road Neighborhood Development Plan. At the time the neighborhood development plan was approved, the southern portion of this site was included with the general planning recommendations for the Wingra Stone site to its west. Staff felt at that time that residential use of the quarry site and this adjacent parcel were appropriate given the neighborhood context, which features both established residential areas such as the April Hill subdivision in the Town of Blooming Grove and emerging residential neighborhoods such as the Secret Places at Siggelkow Preserve and Twin Oaks subdivisions in the City. However, the residential use of these sites was felt to be dependent upon the ability of the land to support future development, particularly in the case of the quarry site, which staff believes will be active for another 20 years or so based on the information contained in the plan. The final condition of the quarry (grades, soils, etc.) was unknown at the time the Marsh Road NDP was approved and continues to be unknown today. If the land physically can support development, low-density residential uses would be recommended.

In order to assess the appropriate use of the 15.76 acres of the subject site, the Planning Division will need to contemplate the use of that site while the quarry is still active, including the nature of the future development (use, density, etc.), the buffering from the quarry required and the future of the quarry site after quarrying ceases as it relates to the ability to extend streets and services to and through that site to further development within the neighborhood. The neighborhood plan review will also have to look more closely at the connections proposed between the subject industrial park and the April Hill and Secret Places residential subdivisions to ensure that sufficient connectivity is provided throughout this portion of the Marsh Road neighborhood

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while ensuring safe traffic flows and proper transitions between the industrial and residential uses.

RECOMMENDATION

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 3324-3326 rezoning 4131 Marsh Road from Temp. M1 (Limited Manufacturing District) to M1, A (Agriculture District) and W (Wetland District) and the preliminary plat of Tradesmen Industrial Park to the Common Council with recommendations of **approval**, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the applicant submit covenants, conditions and restrictions for the entire Tradesmen Industrial Park for consideration and approval with the first final plat of the project. The covenants, conditions and restrictions shall limit the uses within this plat generally to those that are permitted with the SM Specific Manufacturing District unless otherwise modified by the Plan Commission following a recommendation by the Planning Division. The covenants, conditions and restrictions approved with the first final plat shall also establish site design guidelines and an architectural review committee for the entire subdivision.
3. That the final plat(s) creating Lots 21 and 22 as shown on the preliminary plat include a note restricting building coverage on those lots to 30% of the lot area as required under shoreland zoning.
4. That the applicant provide the Planning Division with the proof of concurrence from regulating agencies on the wetland delineations shown on the preliminary plat as noted in Note 7 of the same as part of the first final plat of the development.
5. That further subdivision or development of Outlot 3 not occur until such time as that parcel has been added to the Madison Central Urban Service Area.



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. Dalley, 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: November 19, 2007
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer
SUBJECT: 4131 Marsh Road Plat and Rezoning

Robert Phillips

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. Engineering requires a new street name for the segment of proposed Kipp Street east of Marsh Road to the proposed Kuehling Drive street to the south. There cannot be duplicate Kipp Street and Marsh Road intersections and the Marsh Road Industrial Subdivision has already created such intersection name north of Voges Road.
2. Kuehling Drive, as proposed, requires a street name change to occur at the directional change of the street at the center of the curve adjacent to Lot 13.
3. An electronic copy of the wetland delineation shall be provided to City Engineering along with a DGN File showing the wetland boundary.
4. Provide information on proposed sanitary sewer service to Lot 22. If proposed service crosses existing gas main easements, provide verified elevations of said gas mains and minimum clearances required by gas companies.

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: 4131 Marsh Road Plat and Rezoning

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

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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 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, 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 7-foot wide strip of Right of Way along Marsh Road.
- 2.2 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping _____ feet wide along _____.
- 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 _____

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- 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.
- 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:

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- 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.)
- 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 Marsh Road . (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 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.

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- 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 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.
- 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 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

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Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

Suite 100
215 Martin Luther King, Jr. Boulevard
P.O. Box 2986
Madison, Wisconsin 53701-2986
PH 608 266 4761
TTY 866-704-2315
FAX 608 267 1158

November 20, 2007

TO: Plan Commission

FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager

SUBJECT: **4151 Marsh Road – Preliminary Plat / Rezoning – Tradesmen Industrial Park - Town of Blooming Grove Sec. 26 / Temp M1 to M1, W, and A – 22 Commercial / Industrial Lots**

The City Traffic 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 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)." Note: The development may be delayed until the transportation impacts fees are approved by the Council.

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. Prior to approval, the applicant shall prepare and provide a master ped-bike plan for the plat that is consistent with the City's area wide plans and the plat's specific provisions, to be reviewed and approved by the Traffic Engineer.
3. All Bike / Pedestrian Easements shall be modified to 20 ft in width as current City Policy.
4. The applicant shall provide grading plans for all Bike / Pedestrian Easements for approval prior to Final Plat submittal to be approved by City Engineering and Traffic Engineering to accommodate the facilities. If the Bike / Pedestrian Easements grading plans do not accommodate facilities, the applicant will need to modify the Final Plat to provide the Bike / Pedestrian easements else where to be approved by City Engineering and Traffic Engineering prior to Final Plat submittal.

GENERAL OR STANDARD REVIEW COMMENTS

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

5. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights & traffic signals prior to sign off of final plats. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.
6. The applicant shall contact the Department of Planning and Development to comply with M.G. O. Sec. 16.23(3)(d)--Highway Noise Land Use Provisions policies and ordinances.
7. 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 Dan J. McCormick, P.E., City Traffic Engineering at 266-4761 if you have questions regarding the above items.

Contact Person: Bill Biesmann
Fax: 826-0530
Email: bbie@vierbicher.com

DCD:DJM:dm



CITY OF MADISON FIRE DEPARTMENT

Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295

Phone: 608-266-4484 ♦ FAX: 608-267-1153

DATE: November 27, 2007
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **4131 Marsh Road**

The City of Madison Fire Department (MFD) 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.)

None

GENERAL OR STANDARD REVIEW COMMENTS

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

None on preliminary plat.

Please contact Scott Strassburg, New Construction Inspector at 608-261-9843 if you have questions regarding the above items.

cc: Bill Sullivan

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