



Department of Planning & Development  
**Planning Unit**

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

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May 18, 2005

Michael S. Marty  
Burse Surveying & Engineering, Inc.  
1400 E. Washington Avenue, Suite 158  
Madison, Wisconsin 53703

RE: Approval of a request to rezone 9.8 acres generally located at 4610 Rustic Drive from Temporary A (Agriculture District) to R2S (Single-Family Residence District) and PUD-GDP-SIP (Planned Unit Development, General Development Plan/ Specific Implementation Plan) and approval of a preliminary plat and final plat creating 18 single-family lots, seven two-family lots and seven lots for four-unit townhomes.

Dear Mr. Marty:

At its May 17, 2005 meeting, the Common Council **conditionally approved** your client's rezoning and preliminary and final plat for the "Nelson Addition to Rustic Acres" subdivision subject to the following conditions of approval from reviewing agencies:

**Please contact Gary Dallmann, City Engineering, at 266-4751 if you have questions regarding the following twenty (20) items:**

1. Prior to plat approval, applicant shall pay Door Creek North Phase 2 Impact Fees for sanitary sewer conveyance, storm conveyance, and possibly storm pond outlet structures. Contact the City Engineer for further information.
2. All street names are subject to the approval of the City Engineer.
3. Presently these lands are not within the Central Urban Service Area. Development cannot proceed until these lands have been incorporated into the CUSA by the WDNR.
4. The applicant shall be responsible for the cost of constructing "Street A" to the eastern plat boundary, along with half the cost of extending the storm sewer from Milwaukee Street to the south of "Street A." This construction shall be coordinated with the City Engineer.
5. The developer shall enter into a City/ Developer agreement for the installation of public improvements required to serve this plat. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this plat without the agreement executed by the developer.
6. 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.
7. The developer shall show a 30-foot building setback line on the plat adjacent to Milwaukee Street for all lots on the plat adjacent to said roadway. No buffer strip shall be dedicated to the City, as the City does not want the maintenance.
  8. The developer shall construct Madison Standard street improvements for all streets within the plat.
  9. The Developer shall construct sidewalk and 16 feet of a future 29-foot roadway including curb and gutter on the south side of Milwaukee Street.
  10. 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 Pre-construction 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.
  11. The following notes shall be included on the final plat:
    - a. All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.
    - b. The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.
  12. 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:

*“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.

13. Prior to recording, this plat shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Please contact Greg Fries at 267-1199 to discuss these requirements.
14. 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. Please contact Jim Bertolacini of the WDNR at 275-3201 to discuss this requirement.
15. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
16. A separate and independent sanitary sewer lateral shall serve each unit of a duplex building.
17. 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.
18. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference City of Madison NAD 1927 Coordinates on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. City of Madison has established NAD 1927 Coordinates on all PLS corners within its corporate boundary. Visit the City of Madison Engineering Division web address site for current tie sheets and control data. If a surveyor encounters an area without a published NAD 1927 value, contact Engineering Division for this information.
19. 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 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 and be consistent with previous formats delivered to the City by the Applicant and contain the minimum of the following, each on a separate layer name/level number: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; 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).

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

\*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.

20. In accordance with Section s.236.34(1) (c) which says a plat 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 (site Register of Deeds recording data) and easements that are being conveyed by the plat. Identify the owner and/or benefiting interest of all easements.

**Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following seven items:**

21. The applicant shall execute a waiver of notice and hearing on all special assessments for future traffic signal and associated street improvements at the intersections the City plans to signalize. The traffic signal waiver shall also require a deposit for future area traffic signals and associated intersection changes.
22. The applicant shall enter into a subdivision improvement contract for street and intersection improvements along Milwaukee Street to provide safe and adequate ingress and egress to the plat. The design, plans and specifications shall be reviewed and approved by the Traffic Engineer.
23. The applicant shall execute and return a declaration of conditions and covenants for streetlights & traffic signals prior to sign off.
24. Utility easements shall be provided on the final plat as follows:

<b>Between Lots</b>	<b>Between Lots</b>	<b>Between Lots</b>
2 & 3	18 & 19	24 & 25
12 & 13	21 & 22	28 & 29

25. The applicant shall show a detail drawing of the 12-foot utility easement dimensions and lot lines on the face of the plat.
26. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.
27. No access shall be granted along the southerly right of way line of Milwaukee Street for this plat.

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

28. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit to Zoning, a copy of the approved plan for recording prior to zoning sign off of the plat.
29. That the developer work with Zoning and Planning staff to provide a zoning text for the PUD-SIP portion of the development.

**Please contact John Lippitt, Madison Fire Department, at 261-9658 if you have questions about the following two items:**

30. All portions of the exterior wall of newly constructed one and two-family dwellings shall be within 500 feet of at least one fire hydrant. Distances measured along the path traveled by the fire truck as the hose lay off the truck. See Section 34.20 of the Madison General Ordinances for more information.
31. All portions of the exterior wall of newly constructed public buildings, places of employment and open storage of combustible materials shall be within 500 feet of at least two fire hydrants. Distances measured along the path of the hoselay. See Section 34.20 of the Madison General Ordinances for more information.

**Please contact Si Widstrand, Parks Division, at 266-4711 if you have questions about the following item:**

32. Park dedication required for this project is 54,800 square feet based on 1100 square feet per each single and two-family lot, and 700 square feet per multi-family lot. The required dedication shall be paid as a fee in lieu of land, based on the actual value of the acreage up to a maximum of \$1.65 per square foot. The value is determined by the Real Estate Unit and is based on the land value prior to development approval. The maximum fee would be \$90,420. Park Development Fees are \$38,975.08 (32 units X \$779.50 per one and two-family unit and 28 units X \$501.11 per multi-family unit).  
→ Total estimated park fees: \$129,395.08

Half the fees shall be paid prior to signoff on the final plat, with a letter of credit provided to cover the remainder. Fee payments may also be phased with plat construction phases.

Current plans do not indicate any recreational facilities or improvements that would qualify for IZ credits.

**Please contact Hickory Hurie or Barb Constans, Community Development Block Grant Office, at 267-0740 if you have questions about the following two items:**

33. The developer must build the units such that they meet the terms of the Zoning Ordinance for bedroom mix and minimum size and dispersion, or arrange for builders purchasing the lots to meet those requirements.
34. That the applicant amend the Inclusionary Dwelling Unit Plan to include at least 5% of the proposed units at 70% AMI as required by the Inclusionary Zoning requirements of the Zoning Ordinance.

**Please contact my office at 261-9632 if you have questions about the following three items:**

35. That the PUD-GDP-SIP be revised as follows:
  - a.) that the zoning text for both the GDP and SIP be revised to note that landscaping will be as shown on the site plans, not as provided in the private covenants as currently indicated;
  - b.) that the zoning text for both the GDP and SIP be revised to revise references to "PUD-GDP Duplex" and "PUD-GDP 4-UNIT" to simply "Duplex" and "Four-plex;"
  - c.) the requested zoning in the SIP should reference a requested zoning of PUD-SIP.
36. That the final plat be revised to include the following notes:
  - a.) "There shall be no direct vehicular access to Milwaukee Street for Lots 1-3 and 29-32."
  - b.) "There shall be no direct vehicular access to Rustic Drive for Lots 3 and 32."

37. The final plat and PUD-GDP-SIP will not be released for recording until the subject property is incorporated into the Central Urban Service Area following approval of an amendment by the Wisconsin Department of Natural Resources.

**Please note that the City Real Estate Office is reviewing the report of title provided with this plat and may have comments. That office will send any comments to you by fax. If you have any questions, please contact Jeff Ekola at 267-8719 for more information.**

After the Planned Unit Development been changed as per the above conditions, please file *eight (8) sets* of the revised, complete site plans, building elevation and floor plans with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their signature of final approval.

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void. No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.

Any appeal regarding the final plat, including the conditions of approval, must be filed with the Circuit Court within thirty (30) days from the date of this letter. The approval of this final plat shall be null and void if not recorded in two years from the date of this letter.

If you have any questions regarding recording this plan or obtaining permits, please call Kathy Voeck, Acting Zoning Administrator, at 266-5978. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks  
Planner

- cc: Gary Dallman, City Engineering  
John Leach, Traffic Engineering  
Si Widstrand, Parks Division  
John Lippitt, Madison Fire Department  
Kathy Voeck, Acting Zoning Administrator  
Jeff Ekola, Real Estate Unit  
Norb Scribner, Dane County Land Records and Regulations

For Official Use Only, Re: Final PUD Plan Routing			
<input checked="" type="checkbox"/>	Planning Unit	<input type="checkbox"/>	Madison Water Utility
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Fire Department
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Other: