



Department of Planning & Community & Economic Development  
**Planning Division**

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

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July 17, 2008

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

Wayne Barsness  
D'Onofrio Kottke & Associates  
7530 Westward Way  
Madison, Wisconsin 53717

RE: Approval of a request to rezone approximately 10.7 acres generally located at 9114 Ancient Oak Lane from R2T, R2Y, R2Z (Single-Family Residence Districts) to R2T; approval of the preliminary and final plats of First Addition to Linden Park, replatting 57 single-family lots and 1 outlot for public stormwater management. ID 10507 is a related item that calls for the vacation of one platted street right of way, various public alley outlots and utility easements if the proposed replat is approved (Veridian).

Gentlemen:

At its July 15, 2008 meeting, the Common Council **approved** your client's rezoning, preliminary plat and final plat for the First Addition to Linden Park subdivision subject to the following conditions of approval from reviewing agencies:

**Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following fourteen (14) items:**

1. This proposed plat requires the vacation/discontinuance of several public right-of-ways. Moonlight Trail and public alley Outlots 14, 15, 16 and 21, Linden Park are scheduled to be vacated by City Resolution File ID 10507 after a Common Council public hearing on July 15, 2008. If approved, the City Clerk shall record the adopted Resolution with the Dane County Register of Deeds and reference to that recorded document shall be made to the final plat prior to recording.
2. There are also required public utility easement releases that shall be recorded prior to the recording of this proposed final plat. Recorded utility company releases shall be provided to the City of Madison Real Estate Unit, which is currently administering this easement release under Real Estate Project No. 8962. The City will then record a final release.
3. The following note shall be placed on the face of the plat: "Lots within this subdivision are subject to impact fees that are due and payable at the time of issuance of building permit(s)."
4. A Stormwater Management Plan was previously approved for Linden Park; as density has decreased, no changes are required.

5. Development will be subject to Lower Badger Mill Creek Impact Fee (storm and sanitary) and Upper Badger Mill Impact Fee (storm).
6. 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.
7. The developer shall construct Madison standard street improvements for all streets within the plat.
8. 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.
9. 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 re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.
  - b.) The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.

Note: In addition to notes such as this, Wisconsin 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.
10. 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.

11. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2, 10 & 100-year storm events; control 80% TSS (5 micron particle), provide substantial thermal control, and; provide infiltration in accordance with NR-151.
12. 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
13. 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 (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering signoff.
14. 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 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: 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 Engineering Streets Section 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.

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

15. 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 Council approves the transportation impacts fees.

16. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights and traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.
17. The applicant shall show a detail drawing of the 12-foot utility easement dimensions and lot lines on the face of the plat. Utility easements shall be provided as follows:

| <b>Between Lots</b> | <b>Between Lots</b> | <b>Between Lots</b> |
|---------------------|---------------------|---------------------|
| 263 & 264           | 279 & 280           | 293 & 294           |
| 265 & 266           | 282 & 283           | 299 & 300           |
| 277 & 278           | 290 & 291           | 302 & 303           |

18. The applicant shall graphically show the “No Access Restriction” along the southerly right of way of Valley View Road on the face of the plat map.
19. 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 Dennis Cawley, Madison Water Utility, at 261-9243 if you have any questions about the following item:**

20. All public water mains and water service laterals within the plat shall be installed by standard City of Madison Subdivision Contract. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off on the final plans, but will need a copy of the approved plans.

**Please contact Barb Constans, Community Development Block Grant Office, at 267-1983 if you have questions about the following item:**

21. That the developer pay \$7,800.00 to the Affordable Housing Trust Fund in lieu of providing inclusionary dwelling units within the replat prior to final approval and recording of the final plat.

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

22. That the applicant submit a final Land Use Restriction Agreement(s) and Inclusionary Dwelling Unit Plan for the proposed replat prior to recording of the final plat as required by the Planning Division and Community Development Block Grant Office.

**Park impact fee payment method for the First Addition to Linden Park replat shall follow what was established for the previous version of the development. Please contact Si Widstrand, Parks Division, at 266-4711 if you have questions about payment of park fees for this replat.**

**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.**

**Specific questions regarding comments or conditions should be directed to the commenting agency.**

Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right of way. Permission for such activities must be obtained from the City Forester, 266-4816.

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Any appeal regarding the plat, including the conditions of approval, must be filed with the Circuit Court within thirty (30) days from the date of this letter. If I may be of any further assistance, do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks  
Planner

cc: Janet Dailey, City Engineering  
John Leach, Traffic Engineering  
Dennis Cawley, Madison Water Utility  
Si Widstrand, Parks Division  
Barb Constans, CDBG Office  
Pat Anderson, Assistant Zoning Administrator  
Jeff Ekola, Office of Real Estate Services  
Norb Scribner, Dane County Land Records and Regulations