



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
TDD 608 266-4747
FAX 608 266-8739
PH 608 266-4635

June 19, 2008

Craig Makela
Cherokee Park, Inc.
5000 N. Sherman Avenue
Madison, Wisconsin 53704

RE: Approval of a request to rezone 1507 Burning Wood Way from Planned Unit Development, General Development, Specific Implementation Plan (PUD-GDP-SIP) to Amended PUD-GDP-SIP and approval of a final plat creating three lots and one outlot to allow construction of three single-family residences in place of three previously approved duplexes.

Dear Mr. Makela:

At its June 17, 2008 meeting, the Common Council **approved** your request to amend the PUD-GDP-SIP for 1507 Burning Wood Way and a final plat creating three lots and one outlot, subject to the following conditions of approval from reviewing agencies. The following conditions of approval shall be satisfied prior to final approval and recording of the planned unit development and final plat:

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following thirteen items:

1. A separate sanitary sewer lateral shall serve each lot. Because of rezoning from duplex to single-family land use, there is a surplus of laterals. Excess laterals shall be capped or plugged in accordance with City specifications.
2. Revise plans to include City's existing sanitary sewer mains/laterals and the developer's proposed sanitary laterals.
3. Outlot 1 shall be clearly designated public or private. If it is to be public, it shall be clearly dedicated to the public for the specific intended exclusive use.
4. There are numerous typographical errors on the face of the plat that shall be addressed prior to final approval and recording.
5. The developer shall make improvements to Burning Wood Way to facilitate ingress and egress to the plat.
6. 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.

7. 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.

8. 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.

9. 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) and provide infiltration in accordance with NR-151.

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. 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>.

11. A minimum of two working days prior to requesting City Engineering signoff on the CSM, the applicant shall contact Janet Dailey (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).
12. In accordance with Section s.236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997Coordinates on all PLS corners on the 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 website 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.
13. 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 three items:

14. 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.
15. The applicant shall execute and return a declaration of conditions and covenants for streetlights and traffic signals available from the Traffic Engineering Division prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.
16. 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 Scott Strassburg, Madison Fire Department, at 261-9643 if you have questions about the following three items:

17. All portions of the exterior walls of newly constructed one- and two-family dwellings shall be within 500 feet of at least one fire hydrant. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.20 for additional information.
18. As required by MGO 10.34 and IFC 505.1, all residential and commercial buildings must have the approved address posted. The address numbers shall be four inches in height, numbers shall be in contrast to the background and visible from the street.
19. Fire lane as shown on the plan shall be a minimum of 20 feet wide clear and unobstructed.

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

20. The developer shall pay approximately \$2,587.47 for park development fees (\$862.49 per unit). The developer must select a method for payment of park fees before signoff on the Amended PUD-GDP-SIP. Prior to City signoff on this project, the developer shall select one of the following options for paying these fees:
 - Payment of all fees in a lump sum prior to City signoff on the project;
 - When fees exceed \$20,000, the developer may pay half the fees and provide a two-year letter of credit at no interest for the remaining half of the fees, both prior to City signoff;
 - When fees exceed \$50,000 for plats being built with phased subdivision improvement contracts, the developer may pay the fees due for the number of units in each contract phase, paid at the time of contract execution, and at the fee rates then in effect. Under this option, the fees shall be calculated and prorated to each lot on the development, and the developer shall record a notice of the outstanding impact fees for each lot prior to receiving City signoff for the project.
 - 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 project 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.
 - d) 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)."
21. The park dedication requirement is 3,300 square feet based on 1,100 square feet per unit. Based on the annexation agreement, this dedication shall be included in a dedication land bank at the Wheeler Road/Delaware Boulevard location. The dedication land bank agreement, as specified in the annexation agreement, shall be drafted and provided for City adoption and approved by staff prior to signoff on the Amended PUD-GDP-SIP.

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

22. That the zoning text and site plans be revised per Planning Division and Zoning approval as follows:
- a.) the floor area ratio shall be noted “as shown on the approved plans;” the height shall be limited to two stories and 35 feet;
 - b.) uses for this project shall be listed as: “Single-family residences as shown on the attached plans and any accessory uses related thereto;”
 - c.) a section shall be added noting that the final architectural and landscaping details for individual buildings shall be approved by the Planning Division prior to issuance of building permits using the general design guidelines included in the letter of intent. Submittal for approval of individual buildings shall include a detailed site plan, contextual site information, building elevations with materials and colors, and the size and species of landscaping materials to be planted if different from the landscaping plan included in the plan set. Any appeal of a staff decision shall be made to the Urban Design Commission for consideration;
 - d.) building coverage shall be limited to 30% of lot area;
 - e.) signage is limited to the maximum permitted in the adjacent R1 zoning district and as approved by the Urban Design Commission and Zoning Administrator.
23. That the specific implementation plan and final plat be revised per Planning Division approval prior to recording as follows:
- a.) that building envelopes be shown for all three lots and that those envelopes not exceed 30% of each lot’s area and extend no closer to the rear property lines than the previously approved duplexes;
 - b.) that show a 20-foot building setback line parallel to the southern line of proposed Lot 1.

The applicant is also required to satisfy the conditions of approval of the Urban Design Commission prior to the final approval of the planned unit development for recording. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.

Please note that the City Real Estate Office is reviewing the report of title provided with this final 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.

After the plans have been changed as per the above conditions, please file **eight (8) sets** of the revised, complete site plans, building elevations, floor plans and any other documentation requested herein 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.

Within thirty-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.12(10)(e), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

As soon as the comments and conditions for the final plat have been satisfied as verified with a completed affidavit form (enclosed), the original along with the revised final plat, with all signatures and approvals from the reviewing agencies, shall be brought to this office for final signoff. You or your client may then record the final plat at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 266-4141.

Any appeal from this action on 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. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
Planner

- cc: Janet Dailey, City Engineering
John Leach, Traffic Engineering
Si Widstrand, Parks Division
Scott Strassburg, Madison Fire Department
Pat Anderson, Assistant Zoning Administrator
Jeff Ekola, Office of Real Estate Services
Norb Scribner, Dane County Land Records and Regulations

For Official Use Only, Re: Site Plan Routing for PUD			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input type="checkbox"/>	CDBG
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division (park fees)
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coordinator (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: