



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

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

March 19, 2008

Craig Enzenroth  
ORS Company – Marsh Road Development Corp.  
8500 Greenway Boulevard, Suite 200  
Middleton, Wisconsin 53562

RE: Approval of the final plat of Tradesmen Commerce Park, creating 10 industrial lots and 3 outlots.

Dear Mr. Enzenroth:

At its March 18, 2008 meeting, the Common Council **approved** your company's final plat of the "Tradesmen Commerce 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 nineteen (19) items:**

1. The proposed final plat creates a remnant parcel of approximately 38.8 acres within the approved preliminary plat boundary, which by MGO should be included in the final plat. If the owner does not include the remnant in this plat, at a minimum, City Engineering Mapping and Assessor's Office requires the submittal of a metes and bounds description and Plat of Survey map prepared by the Registered Land Surveyor at Vierbicher who prepared this final plat. This Plat of Survey of the remnant will allow accurate updates to parcel and land records.
2. The proposed bike path easement is too close to the wetland edge. Relocate to the edge of the buffer farthest from the edge of the wetland.
3. Revise the wetland setback note to include no buildings or pavement allowed.
4. It is preferable that the wetland buffer be dedicated with the wetland outlot. If buffer remains on the platted lot, a deed restriction shall be recorded to identify usage and maintenance of the buffer area.
5. The developer shall dedicate Kuehling Drive to the east end of Lot 7. The developer shall construct improvements on Kuehling Drive as required by the City Engineer.
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. 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 feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.

8. The developer shall construct Madison standard street improvements for all streets within the plat.
9. The applicant shall construct sidewalk along Marsh Road to a plan approved by the City Engineer.
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 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.
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.

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.
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 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-year storm events; control 80% TSS (5 micron particle), and; provide infiltration in accordance with NR-151.
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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
15. A minimum of two working days prior to requesting City Engineering signoff on the plat 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).
16. This land division contains or is adjacent to facilities of MMSD. Prior to approval, the applicant shall provide evidence that MMSD has reviewed and approved the proposed subdivision.
17. 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.
18. 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.
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 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 seven items:**

20. 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.
21. 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.
22. All Bike/ Pedestrian Easements shall be modified to 20 feet in width to be consistent with current City policy.
23. 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 elsewhere to be approved by City Engineering and Traffic Engineering prior to final plat submittal.
24. 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.
25. The applicant shall contact the Planning Division to comply with MGO 16.23(3)(d) – Highway Noise Land Use Provisions policies and ordinances.
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.

**Please contact Dennis Cawley, Madison Water Utility, at 261-9243 if you have any questions regarding the following two items:**

27. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.
28. All public water mains and water service laterals shall be installed by a standard City subdivision contract. There will be public water main assessments due for the Marsh Road frontage of this property. The Water Utility will not need to sign off on the final plans, but will need a copy of the approved plans.

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

29. That the applicant revise the covenants, conditions and restrictions per Planning Division approval as follows prior to final approval and recording of the final plat:
- a.) Section 5.01 shall be revised to substitute a member appointed by the Planning Division Director for one of the members listed in the draft;
  - b.) Section 8.01 shall be revised as follows
    - include the use of fiber cement siding materials as an appropriate material;
    - note that the use of EIFS on any elevation shall be limited so as to not come into contact with the ground;
    - that the use of EIFS shall be in a fashion that it is integrated into the overall design of the building and complimentary with the other materials forming a particular façade;
  - c.) Section 8.12 (e) shall be revised to note that no stored materials located within 50 feet of the opaque visual screening of the storage area shall exceed the height of said screening;
  - d.) Section 8.12 shall be revised to note that the landscaping of any parking lots and storage yards on a given site shall provide a minimum of 50% greater landscaping points than that which is required under MGO Section 28.04 (12);
  - e.) Section 8.12 shall be revised to note that Lot 10 shall include additional screening to adequately screen development of that lot from Interstate 39-90 and the City bike path on Outlot 3.
- [Note: Conditions 29 a-e were addressed by staff-approved covenants provided by applicant on March 18, 2008.]
30. That the applicant provide the Planning Division with the proof of concurrence from regulating agencies on the wetland delineations noted prior to final approval and recording of the plat. [Note: This comment was addressed by February 5, 2008 letter from Army Corps of Engineers.]
31. Note: The restrictive covenants for the first phase of Tradesmen Commerce Park will be extended to govern the industrial lots in future phases of this subdivision at the time those lots are created by an approved final plat.

**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. 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: Bill Biesmann, Vierbicher Associates; 999 Fourier Drive, Suite 201; Madison, WI 53717 (inc. copy of certification sheet)  
Janet Dailey, City Engineering  
John Leach, Traffic Engineering  
Dennis Cawley, Madison Water Utility  
Jeff Ekola, Real Estate Unit  
Norb Scribner, Dane County Land Records and Regulations