



City of Madison

Proposed Conditional Use

Location

10004 and 10202 Mid Town Road

Project Name

Lower Badger Mill Creek Lift Station

Applicant

Mark Moder –

City of Madison Engineering Division

Existing Use

Temporary Lift Station at 1842

Shady Point Drive

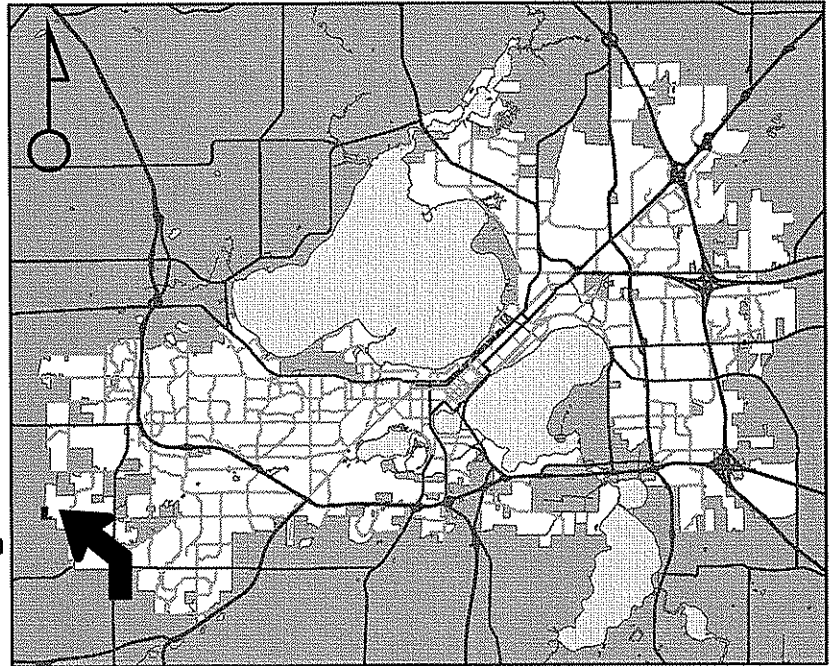
Proposed Use

Construct Regional Sanitary Sewer Lift Station and Remove Temporary Lift Station

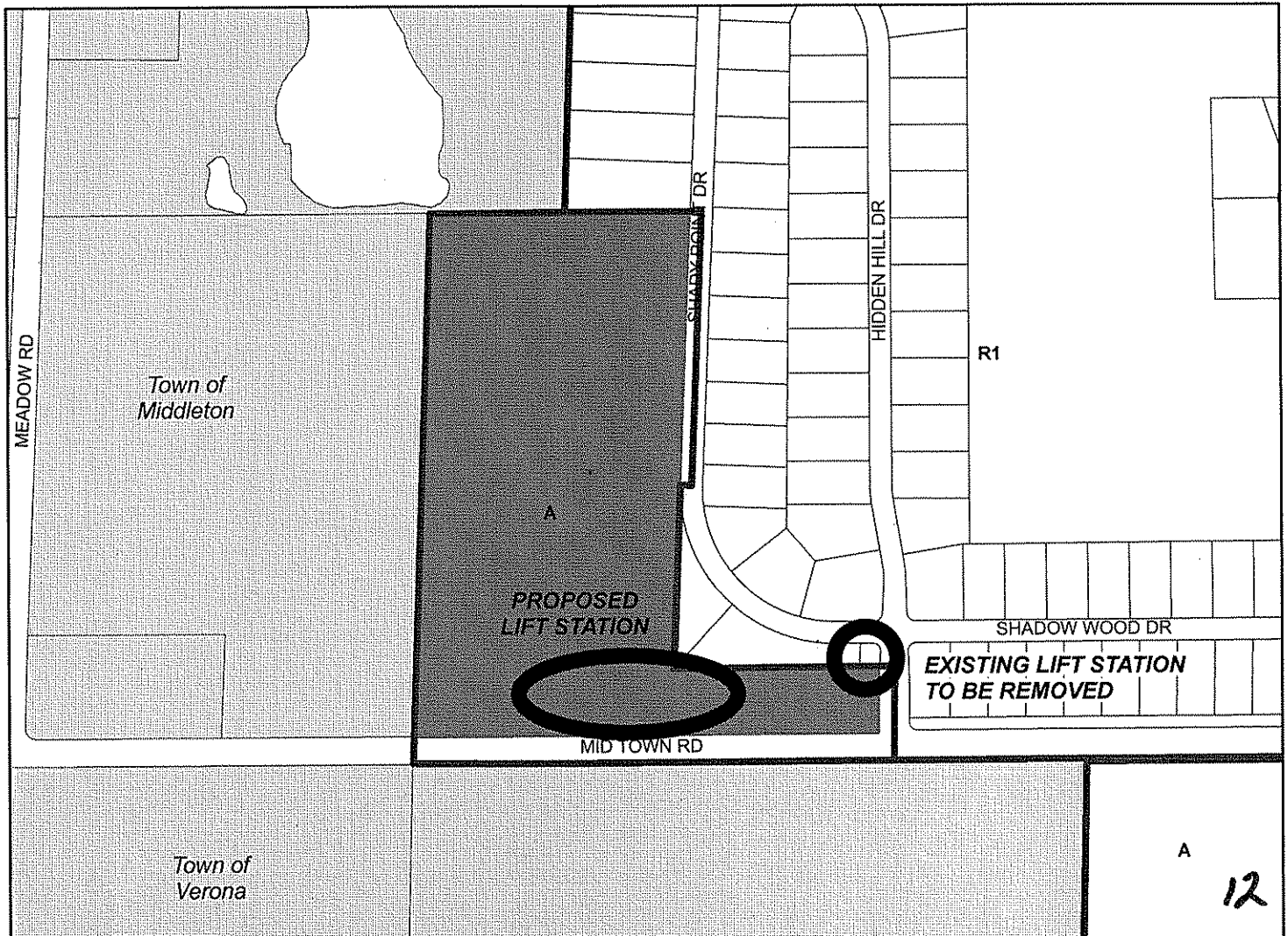
Public Hearing Date

Plan Commission

18 May 2009

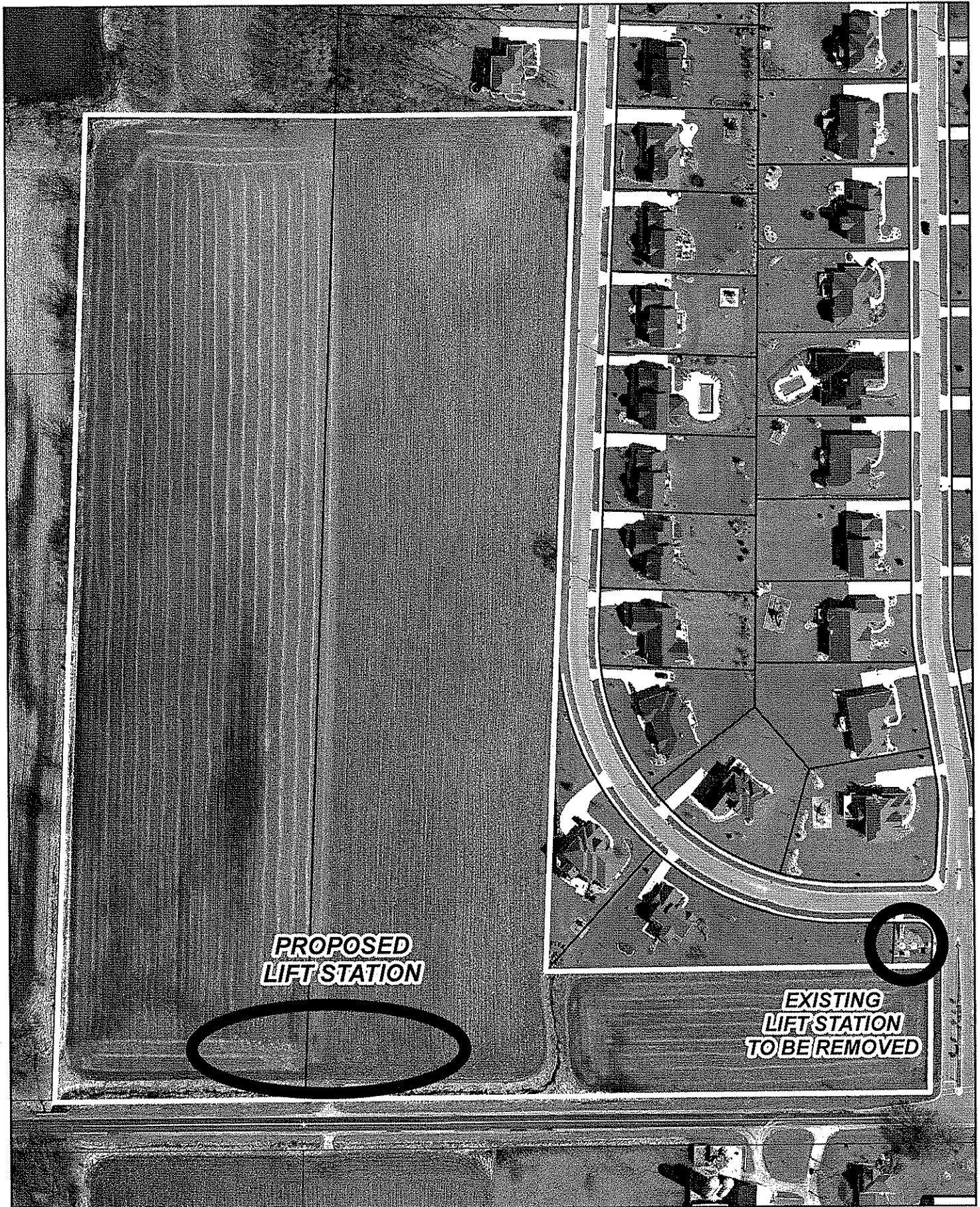


For Questions Contact: Tim Parks at: 261-9632 or tparks@cityofmadison.com or City Planning at 266-4635



Scale : 1" = 400'

City of Madison, Planning Division : RPJ : Date : 04 May 2009



LAND USE APPLICATION

Madison Plan Commission

215 Martin Luther King Jr. Blvd; Room LL-100
PO Box 2985; Madison, Wisconsin 53701-2985
Phone: 608.266.4635 | Facsimile: 608.267.8739

- The following information is required for all applications for Plan Commission review.
- Please read all pages of the application completely and fill in all required fields.
- This application form may also be completed online at www.cityofmadison.com/planning/plan.html
- All zoning application packages should be filed directly with the Zoning Administrator's desk.
- All applications will be reviewed against the applicable standards found in the City Ordinances to determine if the project can be approved.

FOR OFFICE USE ONLY:

Amt. Paid 0 - Receipt No.
Date Received 4-1-09
Received By mwl
Parcel No. 0708-333-0097-7
Aldermanic District 1-Sanborn
GQ Eng-Land
Zoning District Trans B
For Complete Submittal
Application Letter of Intent
IDUP Legal Descript.
Plan Sets Zoning Text
Alder Notification Waiver
Ngbrhd. Assn Not. Waiver
Date Sign Issued

1. **Project Address:** 10004 and 10202 Mid Town Rd **Project Area in Acres:** 0.08
Project Title (if any): Lower Badger Mill Creek Lift Station, Force Main and Sanitary Sewer Construction

2. **This is an application for:** (check at least one)

<input checked="" type="checkbox"/> Zoning Map Amendment (check only ONE box below for rezoning and fill in the blanks accordingly)		
<input type="checkbox"/> Rezoning from <u> </u> to <u> </u>	<input type="checkbox"/> Rezoning from <u> </u> to PUD/PCD-SIP	
<input type="checkbox"/> Rezoning from <u> </u> to PUD/PCD-GDP	<input type="checkbox"/> Rezoning from PUD/PCD-GDP to PUD/PCD-SIP	
<input checked="" type="checkbox"/> Conditional Use	<input type="checkbox"/> Demolition Permit	<input type="checkbox"/> Other Requests (Specify): <u> </u>

3. Applicant, Agent & Property Owner Information:

Applicant's Name: Mark Moder Company: City of Madison Engineering Division
Street Address: City-County Bldg Rm 115 210 MLK JR Blvd City/State: Madison / WI Zip: 53703
Telephone: (608) 261-9250 Fax: (608) 264-9275 Email: mmoder@cityofmadison.com
Project Contact Person: (SAME AS ABOVE) Company:
Street Address: 11 City/State: Zip:
Telephone: () Fax: () Email:
Property Owner (if not applicant): City of Madison Engineering Division
Street Address: City-County Bldg Rm 115 210 MLK JR BLVD City/State: MADISON / WI Zip: 53703

4. Project Information:

Provide a general description of the project and all proposed uses of the site: INSTALL A REGIONAL LIFT STATION 1,000' WEST OF HIDDEN HILL DRIVE ON THE NORTH SIDE OF MID-TOWN ROAD.

Development Schedule: Commencement JULY, 2009 Completion 12/31/09 12

CONTINUE →

5. Required Submittals:

☒ **Site Plans** submitted as follows below and depicts all lot lines; existing, altered, demolished or proposed buildings; parking areas and driveways; sidewalks; location of any new signs; existing and proposed utility locations; building elevations and floor plans; landscaping, and a development schedule describing pertinent project details:

- **Seven (7) copies** of a full-sized plan set drawn to a scale of one inch equals 20 feet (collated and folded)
- **Seven (7) copies** of the plan set reduced to fit onto 11 inch by 17 inch paper (collated, stapled and folded)
- **One (1) copy** of the plan set reduced to fit onto 8 ½ inch by 11 inch paper

☒ **Letter of Intent: Twelve (12) copies** describing this application in detail but not limited to, including: existing conditions and uses of the property; development schedule for the project; names of persons involved (contractor, architect, landscaper, business manager, etc.); types of businesses; number of employees; hours of operation; square footage or acreage of the site; number of dwelling units; sale or rental price range for dwelling units; gross square footage of building(s); number of parking stalls, etc.

☒ **Legal Description of Property:** Lot(s) of record or metes and bounds description prepared by a land surveyor. *Easement Doc. 4428894*

☐ **Filing Fee:** \$ See the fee schedule on the application cover page. Make checks payable to: *City Treasurer.*

IN ADDITION, THE FOLLOWING ITEMS MAY ALSO BE REQUIRED WITH YOUR APPLICATION; SEE BELOW:

N/A ☐ For any applications proposing demolition of existing (principal) buildings, photos of the structure(s) to be demolished shall be submitted with your application. Be advised that a *Reuse and Recycling Plan* approved by the City's Recycling Coordinator is required to be approved by the City prior to issuance of wrecking permits.

N/A ☐ A project proposing **ten (10) or more dwelling units** may be required to comply with the City's Inclusionary Zoning requirements outlined in Section 28.04 (25) of the Zoning Ordinance. A separate **INCLUSIONARY DWELLING UNIT PLAN** application detailing the project's conformance with these ordinance requirements shall be submitted concurrently with this application form. Note that some IDUP materials will coincide with the above submittal materials.

N/A ☐ A **Zoning Text** must accompany **all** Planned Community or Planned Unit Development (PCD/PUD) submittals.

FOR ALL APPLICATIONS: All applicants are required to submit copies of all items submitted in hard copy with their application (including this application form, the letter of intent, complete plan sets and elevations, etc.) as **INDIVIDUAL** Adobe Acrobat PDF files compiled either on a non-returnable CD to be included with their application materials, or in an e-mail sent to pcapplications@cityofmadison.com. The e-mail shall include the name of the project and applicant. Applicants who are unable to provide the materials electronically should contact the Planning Unit at (608) 266-4635 for assistance.

6. Applicant Declarations:

☒ **Conformance with adopted City plans:** Applications shall be in accordance with all adopted City of Madison plans:

→ The site is located within the limits of MID-TOWN NEIGHBORHOOD Plan, which recommends:

Park, Drainage and Open Space for this property.

☒ **Pre-application Notification:** Section 28.12 of the Zoning Ordinance requires that the applicant notify the district alder and any nearby neighborhood or business associations by mail no later than **30** days prior to filing this request:

→ List below the Alderperson, Neighborhood Association(s), Business Association(s) AND dates you sent the notices:

Jeel Sanborn Waiver of 30-day aldermanic noticing period submitted 3/26

If the alder has granted a waiver to this requirement, please attach any such correspondence to this form. *by Matt Tucker OK - m*

☒ **Pre-application Meeting with staff:** Prior to preparation of this application, the applicant is required to discuss the proposed development and review process with Zoning Counter and Planning Unit staff; note staff persons and date.

Planner Date | Zoning Staff Matt Tucker Date 3/26/09

The signer attests that this form has been completed accurately and all required materials have been submitted:

Printed Name Robert Phillips Date 4/1/09

Signature [Signature] Relation to Property Owner

Authorizing Signature of Property Owner [Signature] Date 4/1/09 12



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. Dailey, 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

GIS Manager
David A. Davis, R.L.S.

Financial Officer
Steven B. Danner-Rivers

April 1, 2009

Mr. Brad Murphy
Director of Planning
City of Madison Department of Planning and Development
215 Martin Luther King Jr. Blvd
P.O. Box 2985
Madison, WI 53701

RE: Letter of Intent
Conditional Use
Lift Station at 10004, 10202 Mid-Town Road

Dear Mr. Murphy

The following is submitted with plans and application for staff and Plan Commission consideration of approval.

Owner: City of Madison Engineering Division
City-County Building
210 Martin Luther King Jr. Blvd
Madison, WI 53703-3342
Contact: Mark Moder, 261-9250

Project Description:

The City of Madison Engineering Division is planning to install a regional Lift Station 1,000' west of Hidden Hill Drive on the north side of Mid Town Road. The new force main and pump station will relieve the Shady Point Lift Station located at Shady Point Drive and Hidden Hill Drive. The proposed lift station is located at the low point of the 2,667 acre Lower Badger Mill Creek Watershed which consists of lands in the City of Madison as well as portions of the Towns of Middleton and Verona (Attachment A - Lower Badger Mill Drainage Basin). The proposed lift station shall be used to serve approximately the first 1,000 dwelling units to develop beyond what is currently being served by the Shady Point Lift Station. The proposed lift station is considered temporary and will be relieved by Madison Metropolitan Sewerage District at such time as needed (lift station capacity exhausted).

Site Development Area

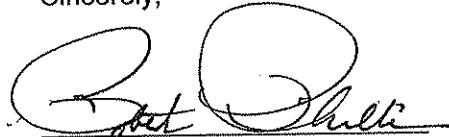
This proposed lift station will be installed within a City-owned easement 3,431 sf in size. The lift station itself will be subterranean and consist of (2) 8-foot diameter manholes. All that will be visible from Mid Town Road will be the control panel and tops of the (2) 8" diameter manholes, 2 bumper posts, a telemetry antenna and a small 28' x 47' paved area. The appearance of the proposed lift station will be very similar to the existing Lift Station being abandoned located at the southwest corner of Hidden Hill Drive and Shady Point (Shady Point Lift Station). Landscaping improvements will include three Service Berry trees east of the proposed Lift Station as well as 1 Hackberry tree just west of it. The intent of the plantings is to provide screening for the homes in vicinity of the Lift Station Site. The current land use is agriculture cropland

Project Schedule:

It is anticipated that construction will begin in July and be completed by year end.

If you have any questions, feel free to contact Mark Moder of my staff at 608-261-9250. Thank you for consideration of this approval.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry D. Nelson", written over a horizontal line.

Larry D. Nelson, P.E.
City Engineer

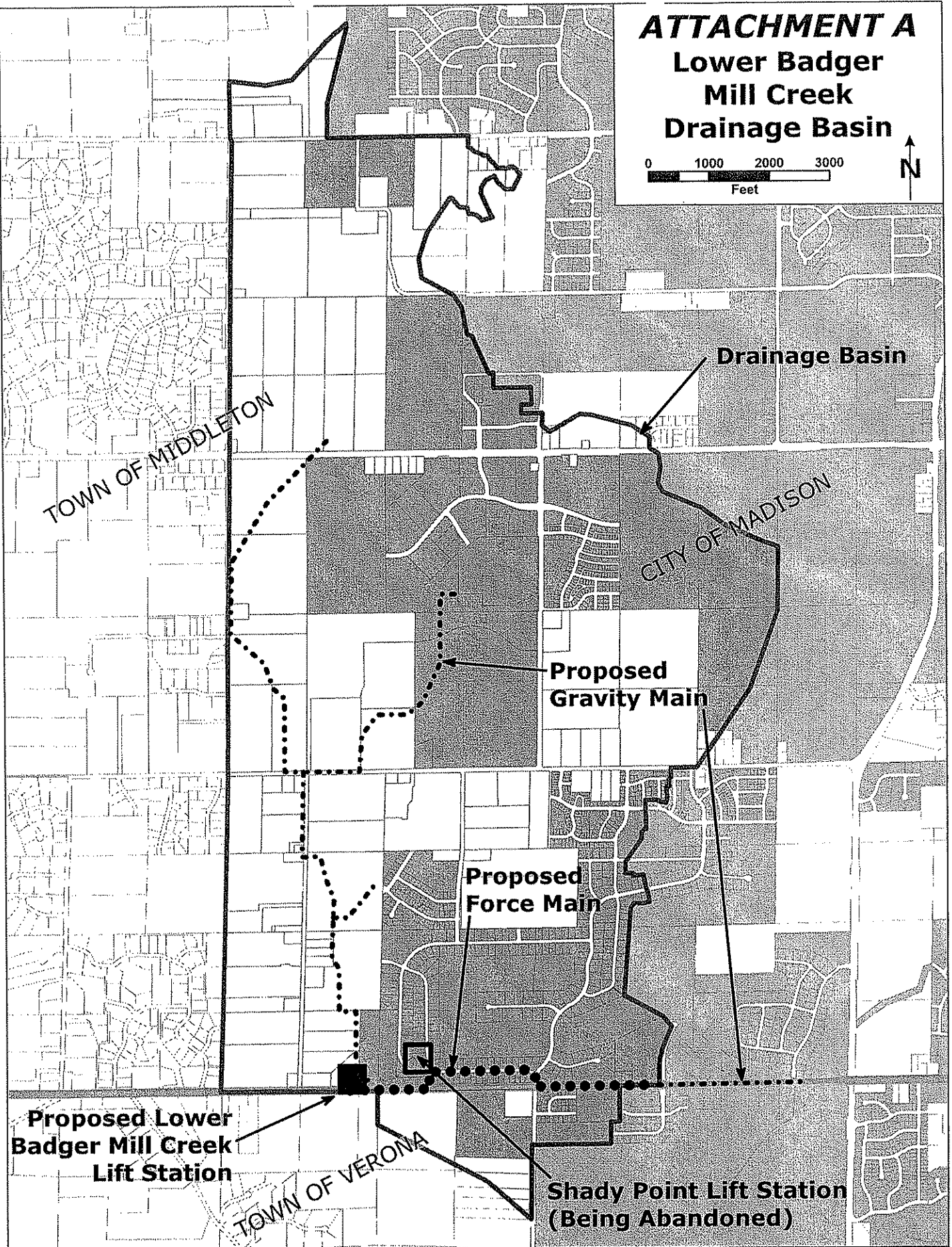
Handwritten initials in black ink, possibly "LDN", located below the signature line.

LDN:mm

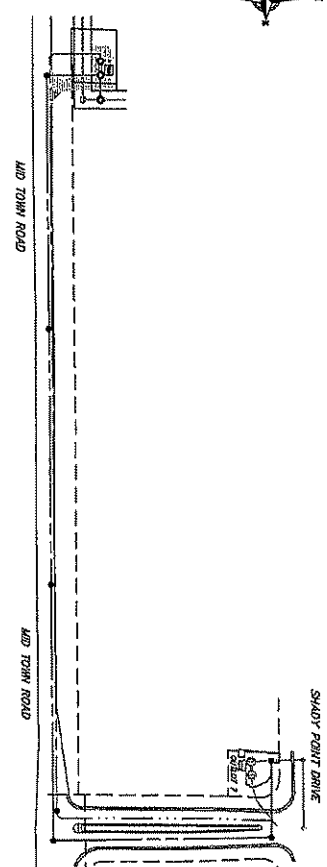
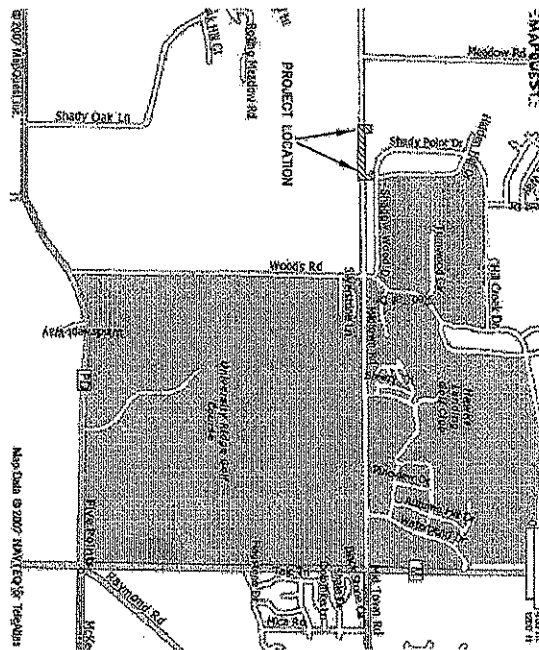
ATTACHMENT A

Lower Badger Mill Creek Drainage Basin

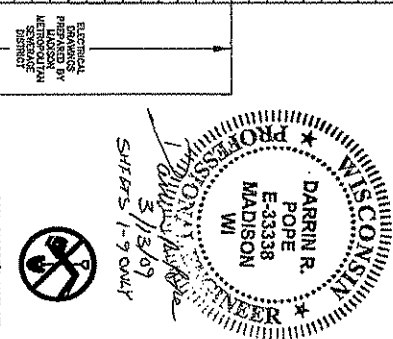
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Feet



**LOWER BADGER MILL CREEK IMID TOWN ROAD!
LIFT STATION, FORCE MAIN & SANITARY SEWER CONSTRUCTION
MADISON, WISCONSIN**

[illegible]

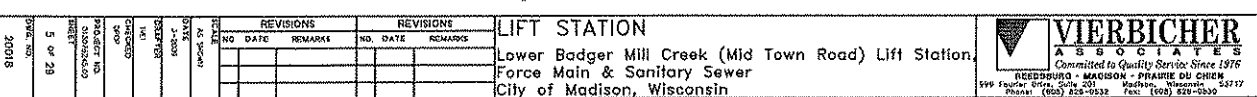
SHEET NO.	DESCRIPTION
1	TITLE SHEET / LOCATION MAP / SITE MAP
2	GENERAL NOTES
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20018	1 of 29	PROJECT NO. DRAWING NO. SHEET	CONTRACT NO. DATE	REVISIONS DATE	AS SHOWN DATE	REVISIONS		REVISIONS		TITLE SHEET		
						NO.	DATE	REMARKS	NO.		DATE	REMARKS
Lower Badger Mill Creek (Mid Town Road) Lift Station										Force Main & Sanitary Sewer City of Madison, Wisconsin		

VIERBICHER
ASSOCIATES
Committed to Quality Service Since 1976
MEEDSBURG • MADISON • PRAIRIE DU CHIEN
520 Fourier Drive, Suite 301 Madison, Wisconsin 53717
Phone: (608) 834-0532 Fax: (608) 832-0530

Abstract





EXISTING FACILITY (1 of 2)





(2 of 2)



**PUBLIC SANITARY SEWER and LIFT STATION
EASEMENT**

Dorothy L. Dreger, and Guy J. Dreger and Laura S. Dreger, Trustees of the Guy J. and Laura S. Dreger Living Trust(collectively the "Owner"), being the owner of the property hereinafter described, in consideration of the sum of Sixty Nine Thousand Three Hundred and no/00 Dollars (\$69,300.00) grants and conveys to the City of Madison, a Wisconsin municipal corporation, located in Dane County, Wisconsin (the "City"), its successors and assigns, a permanent easement for public sanitary sewer and lift station purposes ("Easement"), including, but not limited to, the right of ingress and egress; the right to excavate, install, operate, maintain, repair, replace and modify the sanitary sewer and lift station facilities and improvements (the "Facilities"); and the right to perform all work incidental thereto in the Owner's parcel described in attached Exhibit A and depicted on attached Exhibit B (the "Easement Area").

The Easement is subject to the following conditions:

1. Construction, Restoration, Repair and Maintenance.

- a. The work of construction, repair and maintenance by the City shall be done and completed in a good and professional manner at the sole expense of the City and shall be performed in such a manner as in no way to interfere with or endanger the use of the Easement Area. In all cases, the City shall be responsible for following all applicable ordinances, codes, statutes, and laws, and obtaining all permits required for any construction, repair or maintenance activity.
- b. All areas affected by the work of the City shall be promptly restored to original grade and vegetation or surface condition, including repair or replacement of pavement and concrete, by and at the expense of the City after completion of said work (or as soon thereafter as weather reasonably permits) and in a manner satisfactory to the Owner.
- c. Following the installation of the Facilities and final grading of the Easement Area, no grade change to the Easement Area shall be made by the Owner without the prior written approval of the City's Engineer.
- d. No above-ground improvements shall be located in the Easement Area by either party, with the exception that grates, sewer access structure (SAS) covers, and other access points to the Facilities shall be permitted at grade level; and above-ground facilities located in the Lift Station Easement area including, but not limited to, control panel(s), electronic switch gear cabinet(s), telemetry antenna, and vent(s).

2. Reservation of Use by Owner. The Owner reserves the right to use and occupy the Easement Area 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 any Facilities located therein.

3. Landscaping by Owner. Plantings and landscaping within the Easement Area 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 Owner.

4. Compliance. The City and the Owner shall comply with all applicable laws, including, but not limited to, any laws, standards, regulations, or permit requirements relating to environmental pollution or contamination or to occupational health and safety.

* 4 4 2 8 8 9 4 8 *
DANE COUNTY
REGISTER OF DEEDS

DOCUMENT #
4428894

05/08/2008 12:54PM

Exempt #:

Rec. Fee: 25.00
Pages: 8

RETURN TO: City of Madison
Economic Development Division
P.O. Box 2983
Madison, WI 53701-2983

Tax Parcel No.: 251-0708-333-0097-7
251-0708-324-0099-2



5. Amendment. This Easement may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
6. Binding Effect. The rights and easement granted herein shall be deemed to be covenants running with the land and shall inure to the benefit of and shall be binding upon the parties hereto and their respective successors and assigns.
7. Applicable Law. This Easement shall be construed in accordance with the laws of the State of Wisconsin.
8. Severability. If any term or provision of this Easement is held to be invalid or unenforceable by a court of competent jurisdiction, then such holding shall not affect any of the remaining terms and provisions of this Easement and the same shall continue to be effective to the fullest extent permitted by law.
9. Public Record. This Easement will be recorded at the office of the Dane County Register of Deeds.

TOGETHER WITH a Temporary Limited Easement ("TLE") over the following described property (the "Easement Area"):

This TLE is subject to the following conditions:

1. The purpose of this TLE is to allow the City to perform sloping and grading on lands located outside of the new right-of-way at 10922/11002 Mid Town Road, in association with the construction of said Facilities, pursuant to City of Madison Engineering Project No. 53W0196.
2. The City's use of the TLE shall be for construction, sloping and grading purposes including, but not limited to, the right of ingress and egress, the right to operate necessary equipment thereon, and the right to preserve, protect, remove or plant thereon any vegetation that the City may deem desirable to prevent erosion of the soil.
3. Construction shall be performed and completed in a good and workmanlike manner and shall not interfere with or endanger the use of the abutting land owned by the Owners.
4. The City will promptly restore the Easement Area after completion of the construction and/or grading of the Easement Area (or as soon thereafter as weather reasonable permits) and in a manner satisfactory to the Owners.
5. The Owners reserve the right to use and occupy the Easement Area in a manner consistent with the rights conveyed herein, provided that such use and occupancy shall not interfere with or disturb the construction and/or grading of the Easement Area.
6. This TLE shall terminate upon the earlier of: (a) completion of the construction described in City of Madison Engineering Project No. 53W0196, or (b) December 31, 2009; unless mutually extended by the parties.

Any person named in this Easement may make an appeal from the amount of compensation within six (6) months after the date of recording of this Easement as set forth in s. 32.05(2a) Wisconsin Statutes. For the purposes of any such appeal, the amount of compensation stated on this Easement shall be treated as the award, and the date this Easement is recorded shall be treated as the date of taking and the date of evaluation.



Dated this 28th day of April, 2008.

DOROTHY L. DREGER

Dorothy L. Dreger
(signature)

State of Wisconsin)
)ss.
County of Dane)

Personally came before me this 28th day of April, 2008, the above-named Dorothy L. Dreger, known by me to be the person who executed the foregoing instrument and acknowledged the same.

Marilyn A. Dreger
Notary Public, State of Wisconsin
Marilyn A. Dreger
Print or Type Name
My Commission: is permanent.

GUY J. DREGER, Trustee

Guy J. Dreger
(signature)

State of Wisconsin)
)ss.
County of Dane)

Personally came before me this 28th day of April, 2008, the above-named Guy J. Dreger, Trustee of the Guy J. and Laura S. Dreger Living Trust, known by me to be the person who executed the foregoing instrument and acknowledged the same.

Marilyn A. Dreger
Notary Public, State of Wisconsin
Print or Type Name *Marilyn A. Dreger*
My Commission: is permanent.




LAURA S. DREGER, Trustee


(signature)

State of Wisconsin)
)ss.
County of Dane)

Personally came before me this 28th day of April, 2008, the above-named Laura S. Dreger, Trustee of the Guy J. and Laura S. Dreger Living Trust, known by me to be the person who executed the foregoing instrument and acknowledged the same.


Notary Public, State of Wisconsin
Marilyn A. Dreger
Print or Type Name
My Commission: is permanent

This document is authorized by Resolution Enactment No. RES-07-00786, File ID No. 06576, adopted by the Common Council of the City of Madison on August 8, 2007.

Drafted by the City of Madison Real Estate Section.

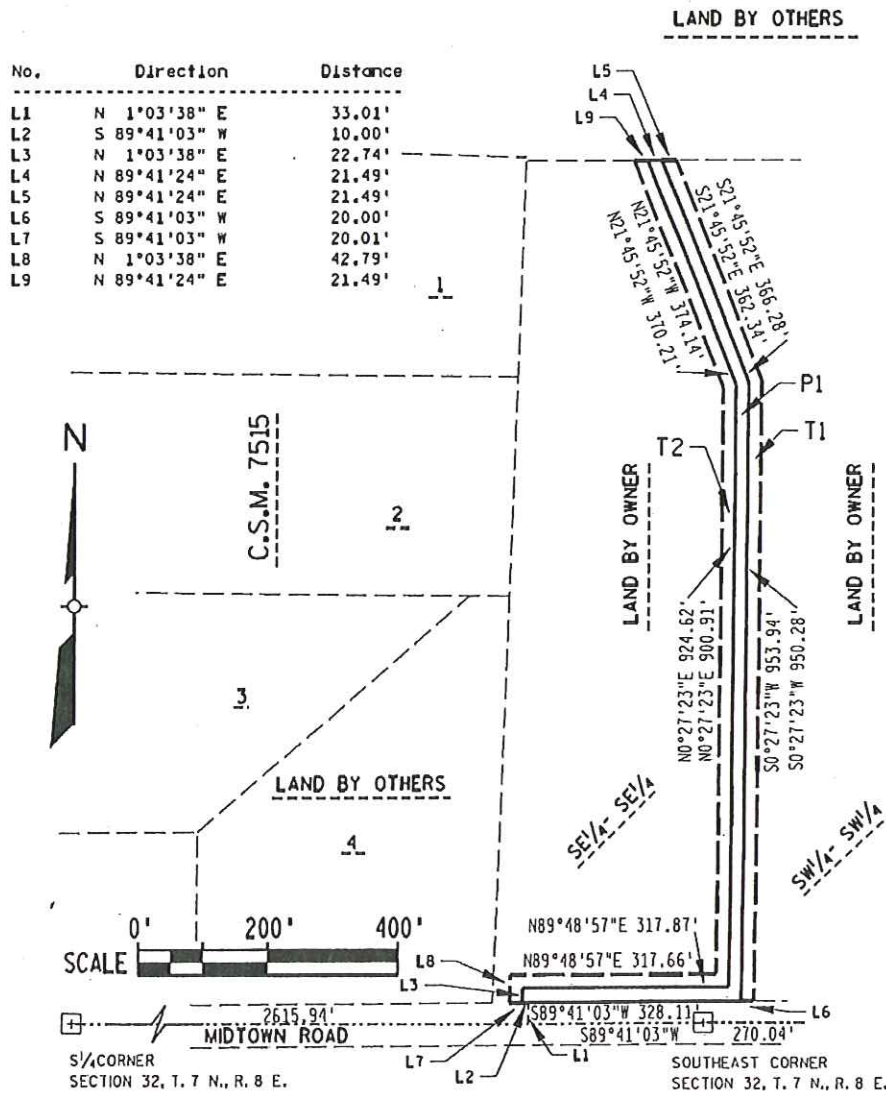
Real Estate Section's Project No. 8317
Engineering Division's Project No. 53W0196



Sanitary Sewer Easement

EXHIBIT S3-2

LOCATED IN PART OF THE SE $\frac{1}{4}$ OF THE SE $\frac{1}{4}$
SECTION 32 AND PART OF THE SW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$
SECTION 33, ALL IN TOWNSHIP 7 NORTH, RANGE 8 EAST
CITY OF MADISON, DANE COUNTY, WISCONSIN



THIS INSTRUMENT WAS
DRAFTED BY EARTH TECH
EARTH TECH, INC.
MADISON, WI.

P1=PERMANENT SEWER EASEMENT
T1/T2=TEMPORARY SEWER CONSTRUCTION EASEMENT

OWNER:
DREGER LIVING TRUST
G.J. AND L.S. DREGER, TRUSTEES
7351 MIDTOWN ROAD
VERONA, WI. 53593

EARTH TECH PROJECT NO. 84025

SHEET OF

EARTH TECH COMPUTER AIDED DESIGN & DRAFTING

EXHIBIT B (Page 2 of 2)

Lift Station Easement

