



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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****BY E-MAIL ONLY****

November 2, 2023

Brian Arcand
Snyder & Associates, Inc.;
5010 Voges Road
Madison, Wisconsin 53717

RE: Approval of a request to rezone a portion of 248 East Hill Parkway from PD to TR-C3 (Traditional Residential–Consistent 3 District); and approving the preliminary plat and final plat of *Third Addition to Reston Heights*, creating five single-family residential lots, one lot for an existing residential building complex, and one outlot to be dedicated to the public for stormwater management. [ID 79526 and 79326; LNDSP-2023-00006]

Dear Brian;

At its October 17, 2023 meeting, the Common Council **approved** the rezoning and preliminary and final plat of *Third Addition to Reston Heights* subject to the conditions of approval in the following sections, which shall be addressed prior to final approval and recording of the final plat.

Please contact Brenda Stanley of the City Engineering Division at (608) 261-9127 if you have questions regarding the following fifteen (15) items:

1. The applicant shall complete a wetland delineation and provide the document to the City Engineer. Further, the applicant shall dedicate the wetland area to the City of Madison Stormwater Utility.
2. Outlot 1 shall be dedicated to the Stormwater Utility for stormwater and drainage purposes.
3. Obtain a Street Terrace Permit for any proposed work related to the subdivision (installation of the driveway apron, landscaping, etc.). This permit application is available and must be completed online.
4. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering Division sign-off.
5. An Erosion Control Permit is required for this project.
6. A Storm Water Management Report and Storm Water Management Permit is required for this project.

7. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.
8. A portion of this plat may come under the jurisdiction of the US Army Corp of Engineers and Wisconsin Department of Natural Resources for wetland, floodplain, or navigable waterway issues. A permit for these items may be required prior to construction. Contact the WDNR and USACOE for a jurisdictional determination. Provide a digital copy of the wetland delineation, which shall be less than five (5) years old.
9. Each lot shall have a separate sanitary sewer lateral. Plans already appear to show sanitary sewer laterals into each lot. The developer's engineer shall confirm that the laterals are in place. If additional sewer laterals are needed, the developer shall install them as a condition for development. Shared sanitary sewer laterals between lots will not be permitted.
10. Submit proposed lot corner grades with the stormwater management plan, as these two items must be reviewed together to properly determine stormwater overflow conditions. Prior to the issuance of building permits, submit a master stormwater drainage plan with final as-built lot corner grades. These grades may be modified from the originally proposed grades provided they continue to meet design tolerances. No building permits shall be issued prior to City Engineering's final approval of this plan.
11. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
12. Demonstrate compliance with MGO Section 37.07 and 37.08 regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
13. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by MGO Chapter 37.
14. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit

application can be found on City Engineering's website. The Storm Water Management Plan & Report shall include compliance with the following:

Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))

Detain the 2-, 5-, 10-, 100-, and 200-year storm events, matching post-development rates to pre-development rates and using the design storms identified in MGO Chapter 37.

Provide infiltration of 90% of the pre-development infiltration volume.

Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

15. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the City Engineering Division. E-mail PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

Please contact Jeff Quamme of the City Engineering Division—Mapping Section at (608) 266-4097 if you have any questions regarding the following twenty-nine (29) items:

16. Grant a Public Storm Sewer Easement(s) to the City on the face of this plat around proposed Lot 4 with the final location and width to be approved by City Engineering with the following conditions: Contact Jule Smith (jsmith4@cityofmadison.com, (608) 264-9276) for the final required easement language to be included on the face of the plat.
17. Work with the City Engineering Division on the required limits of Outlot 1 as necessary and/or, grant a public stormwater drainage easement(s) to the City on the face of plat on the southwesterly portion of proposed Lot 6 over an area to be approved by City Engineering. Contact (jsmith4@cityofmadison.com, (608) 264-9276) for the final required easement language to be included on the face of the plat.
18. In accordance with Chapter 236, Wisconsin Statutes, the applicant must show the type, location and width of any and all easements on a plat. Clearly identify the difference between existing easements (cite recording data) and easements which are being conveyed by the land division. Identify the owner and/or benefiting interest of all easements. Include any and all language required to properly and legally create any easement by this subdivision. Also show and delineate all easements for the preliminary plat per MGO Section 16.23. Notably on the final plat, delineate and verify line scale of the existing 20-foot wide Public Storm Sewer Easement per Document No. 4003594.
19. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final plat. The preliminary plat showed existing utilities outside given existing easements. Additional easements may be necessary to facilitate existing and/or preferred routing.

20. For the final plat, insert standard language pre MGO Section 16.23(7)(d)2.a. verbatim. When done, all of the previous non-exclusive easements for drainage easements are released and new drainage easements defined by the current proposed plat. This should also be noted on the preliminary plat, as the lands are subject to this condition and easement as well as this will be a proposed condition.
21. As required by Ordinance, provide private Easements or private Outlots to accommodate the current United States Postal Service (USPS) required centralized delivery of mail using Cluster Box Units (CBUs). Coordinate the locations of the CBUs with the USPS Development Coordinator, City Engineering and Traffic Engineering staff and in accordance with the Policies for Cluster Box Units as adopted by the City of Madison Board of Public Works. CBUs serving this subdivision will not be permitted within any publicly owned or dedicated lands.

If the developer is not able to determine the final locations of the CBUs prior to recording the final plat, the final placement of CBUs for each phase of development within this land division shall be determined prior to construction. The locations for each phase shall as required by Ordinance, in accordance with the Policies for Cluster Box Units as adopted by the City of Madison Board of Public Works and in compliance with United States Postal Service requirements.

The required CBU documents shall be recorded prior to the start of construction of the public improvements serving any Lot or Outlot. In the instance of land divisions that do not require the construction of public improvements or a contract with the developer, the required approved CBU documents shall be recorded simultaneously with the final approved subdivision. Construct the CBUs in accordance with the specifications approved by the Board of Public Works.

22. Show the proposed easements on the preliminary plat.
23. Ensure buildability of Lot 1. Existing utilities may have prescriptive rights, if so grant formal easements on the final plat to formalize these easements. If the existing lines are to be moved, provide agreement with utility companies to move the lines with the understanding of responsibilities prior to final approval.
24. For both the preliminary plat and final plat, state the purpose of Outlot 1 and if it is being dedicated, so state with "Dedicated to the Public."
25. Provide title support documents as required in application materials. Further requirements/comments may be necessary upon a review of all the documents required, such as listing all of the applicable title documents on the face of the plat, as was done on the Second Addition to Reston Heights.
26. Show applicable wetland setbacks on the final plat.
27. 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 monument condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering

(jrquamme@cityofmadison.com). 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 and shall be attached to a signed and sealed monument condition report. The applicant shall identify monument types on all PLS corners included on the plat.

28. Prior to City Engineering Division final sign-off by main office, the final plat shall be submitted in PDF format by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final City Engineering Division sign-off.
29. Increase the space between 'East' and 'Hill' for the street name. East and Hill are two separate words. East is not a pre-directional for this name and should continue to be spelled out: "East Hill Parkway."
30. On the preliminary plat, note that 'Outlot 6' [across Wyalusing Drive] is Reston Heights Park.
31. For the preliminary plat, show the location, right of way width, and names of any adjacent existing streets, alleys or other public ways, easements and railroad and utility rights of way.
32. For the preliminary plat, show type, width, and elevation of any adjacent existing street pavements.
33. For the preliminary plat, show location, size and invert elevation, referenced to a vertical datum and adjustment as required by the City Engineer, of any existing sanitary or storm sewers, culverts or drain pipes and the location and size of any existing water and gas mains on and adjacent to the preliminary plat and proposed to be used in the development. If sewers and water mains are not on or adjacent to the preliminary plat the direction and distance to and size of the nearest ones, showing invert elevations of sewers shall be indicated.
34. For the preliminary plat, show location of, drives, streams and water courses, marshes or wetlands, rock outcrops, wooded areas, all existing improvements with their dimensions, and other similar significant features within the plat or immediately adjacent thereto. Water elevations of adjoining lakes or streams at the date of survey and approximate high and low water elevations, all referenced to a vertical datum and adjustment as required by the City Engineer. Note: There is an existing stream in the City greenway (Broad Creek).
35. For the preliminary plat, show contours at vertical intervals of not more than two (2) feet where average slope is less than five percent (5%) or five (5) feet where slope is five percent (5%) or greater. Elevations shall be marked on such contours referenced to a vertical datum and adjustment as required by the City Engineer. Show the elevations on the contours.
36. For the preliminary plat, show private easements, or alternatively private outlots, for Cluster Box Units as required.
37. Stated name of plat is "Reston Heights 3rd Addition" if this is the desired name than lot numbering will be subsequent to last addition for both lot and outlots.

38. Note the Datum and adjustment used for the Coordinate System.
39. Where the plat is located within or adjacent to a section or quarter section the corners of which have been relocated and monumented by the City of Madison, the plat shall be tied directly to one of such corners. The exact length and bearing of such tie shall be determined by field measurement, the material on the corner identified, and the WISCRS Dane NAD 83 datum (adjustment as required by the City Engineer or future published projection and adjustment required by the City Engineer) coordinates of the monument marking the relocated section or quarter section corner to which the plat is tied shall be indicated on the plat. The note on the plat shall also define which section or quarter section line is used for referencing the bearings on the plat.
40. Add () "recorded as" to the legend.
41. Remove the condominium plat Register of Deeds certificates.
42. Show the centerline of all streets on the final plat, including the centerline of East Hill Parkway.
43. Existing utilities can be removed from the final plat.
44. Submit to Jule Smith, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work shall be void of gaps and overlaps and match the final recorded plat: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).

*This transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data for any changes subsequent to any submittal.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following item:

45. The applicant shall add a note to the plat stating no driveway shall be constructed that interferes with the orderly operation of the pedestrian walkway. This will require all pedestrian ramps to be constructed separate from driveway entrances; a curb-head of no less than six (6) inches in width shall be constructed between all pedestrian ramps and driveway entrances. This is especially important at 'T' intersections where lot and building layout become critical; to prevent interference with the pedestrian ramp, lots intersecting or adjacent 'T' intersection may require a shared driveway and access.

Please contact Bill Sullivan of the Madison Fire Department at (608) 261-9658 if you have any questions regarding the following item:

46. The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e). An upgrade to include a fire sprinkler system with a cost estimate shall be made available for all initial single- or two-family home sales.

Please contact Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have any questions regarding the following item:

47. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days' notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Avenue. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Please contact Tim Sobota of Metro Transit at (608) 261-4289 if you have any questions regarding the following item:

48. In coordination with public works improvements, the applicant shall install and maintain a concrete boarding pad surface at the existing Metro bus stop on the east side of Wyalusing Drive, opposite of Summertown Drive (#7867). The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

Please contact Kathleen Kane of the Parks Division at (608) 261-9671 if you have any questions regarding the following two (2) items:

49. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the East Park-Infrastructure Impact Fee district. Please reference ID# 01106.6 when contacting Parks Division staff about this project.
50. The following note should be included on the final plat: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued." The Parks Division shall be required to sign-off on this subdivision.

Please contact Jenny Frese of the Office of Real Estate Services at (608) 267-8719 if you have any questions regarding the following six (6) items:

51. Prior to approval sign-off, the Owner's Certificate(s) on the final plat shall be executed by all parties having an interest in the property, pursuant to Wis. Stats. 236.21(2)(a). Certificates shall be prepared with the ownership interests consistent with the most recent title report. Signatories shall provide documentation that proves legal authority to sign the Owner's Certificate. The executed original hard stock recordable plat shall be presented at the time of sign-off.
52. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to plat approval sign-off. If mortgages of record are paid off prior to plat approval, a copy of the recorded satisfaction for said mortgage shall be provided prior to sign-off.

53. Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to plat recording. This includes property tax bills for the prior year that are distributed at the beginning of the year.
54. Pursuant to MGO Section 16.23(5)(e)1 and Wis. Stats. 236.21(3), all special assessments levied prior to plat signoff shall be paid in full.
55. Pursuant to MGO Section 16.23(5)(g)(4), provide to the Office of Real Estate Services and the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report and the date when sign-off of the final plat is requested. A title commitment may be provided, but will only be considered as supplementary information to the title report update. The surveyor shall update the plat with the most recent information available in the title report update.
56. The Office of Real Estate Services may have additional comments on the final plat and title information provided with this application, which shall be addressed prior to final sign-off of the final plat for recording.

Please contact my office at (608) 261-9632 if you have questions about the following five (5) items:

57. That all delineated wetlands on the subject site be shown on the final plat.
58. The final plat shall be revised prior to final approval and recording to label the 15-foot "wetland offset" as a "wetland setback" for all wetlands present on the site.
59. Prior to final approval and recording of the final plat, an amendment to the Environmental Corridor Map shall be approved by the Capital Area Regional Planning Commission (CARPC) to reduce or remove from the corridor the wetland located on the subject site. The amendment request shall be made by the City by CARPC rule and not by the subdivider; however, the subdivider may be required to reimburse the City's expenses for submitting that request. The applicant shall be bound by any conditions of the CARPC amendment approval, and the final plat will not be approved for recording until all of the conditions of the CARPC approval have been met.
60. Consistent with Wis. Stats. Section 236.20, the final plat shall show all lots and outlots in each block consecutively numbered within blocks and the subdivision and throughout numbered additions to the subdivision.
61. Prior to final approval and recording of the final plat, the applicant shall submit a minor alteration to the approved PD(SIP) for 248-252 East Hill Parkway (formerly 6801 Littlemore Drive) for approval to reflect the proposed Third Addition subdivision. The alteration shall reflect the reduced lot area and any other changes to the project data for the existing apartment complex affected by the proposed plat.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

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Any appeal regarding the plat, including the conditions of approval related thereto, 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, please do not hesitate to contact me at (608) 261-9632 or tparks@cityofmadison.com.

Sincerely,

Timothy M Parks

Timothy M. Parks
Planner

cc: Brenda Stanley, City Engineering Division
Fadi El Musa Gonzalez, City Engineering Division
Jeff Quamme, City Engineering Division – Mapping Section
Sean Malloy, Traffic Engineering Division
Jenny Kirchgatter, Assistant Zoning Administrator
Bill Sullivan, Madison Fire Department
Kathleen Kane, Parks Division
Tim Sobota, Metro Transit
Jeff Belshaw, Madison Water Utility
Jenny Frese, Office of Real Estate Services