



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 4846 Eastpark Boulevard  
**Application Type:** Neighborhood Development Plan Amendment, Zoning Map Amendment, and Preliminary Plat and Final Plat  
**Legistar File ID #** [75247](#), [75182](#) and [74911](#)  
**Prepared By:** Timothy M. Parks, Planning Division  
Report includes comments from other City agencies, as noted

**Summary**

**Applicant:** Luke Stauffacher, Cascade Development; 5150 High Crossing Boulevard; Madison.

**Contact Person:** Greg Held, Knothe & Bruce Architects, LLC; 7601 University Avenue, Suite 201; Middleton.

**Property Owner:** American Family Mutual Insurance Co., 6000 American Parkway; Madison; Jane Grabowski-Miller, representative.

**Surveyor:** Mike Ziehr, Vierbicher & Associates, Inc.; 999 Fourier Drive, Suite 201; Madison.

**Requested Actions:**

- ID [75247](#)– Amending the Rattman Neighborhood Development Plan to revise the land use recommendation for approximately 24 acres of land located on the east side of Eastpark Boulevard at proposed Dreamer Drive from Employment to Community Mixed-Use;
- ID [75182](#) – Approval of a request to rezone 4846 Eastpark Boulevard from SEC (Suburban Employment Center District) to CC-T (Commercial Corridor–Transitional District) and to TR-U2 (Traditional Residential –Urban 2 District); and
- ID [74911](#)– Approving the preliminary plat and final plat of *The American Center Eastpark Fifth Addition*, creating two lots for future mixed-use development, seven lots for future multi-family development, one outlot for private parkland, and one outlot to be dedicated to the public for stormwater management.

**Proposal Summary:** The plat of *The American Center Eastpark Fifth Addition* proposes to further subdivide two lots to be created by the pending final plat of *The American Center Eastpark Fourth Addition* located on either side of Dreamer Drive and the east side of Eastpark Boulevard into two lots for future mixed-use development in CC-T zoning and seven lots for future multi-family development in TR-U2 zoning. The letter of intent indicates that the resulting development may result in approximately 950 multi-family units and 14,000 square feet of commercial space, which will be developed in phases as market conditions dictate. The plat will also create one outlot for private parkland and one outlot to be dedicated to the public for stormwater management.

The proposed plat will be recorded as soon as all regulatory approvals have been granted. The applicant hopes to construct subdivision improvements in summer 2023, with building construction to follow immediately.

**Applicable Regulations & Standards:** Section 28.182 of the Zoning Code provides the process for zoning map amendments. The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations.

**Review Required By:** Plan Commission and Common Council.

**Summary Recommendation:** The Planning Division recommends the following to the Plan Commission:

- That the Plan Commission recommend **approval** of the amendment to the Rattman Neighborhood Development Plan to revise the land use recommendation for approximately 24 acres of land located on the east side of Eastpark Boulevard at proposed Dreamer Drive from Employment to Community Mixed-Use;
- That the Plan Commission forward Zoning Map Amendment ID 28.022–00608 and ID 28.022–00609, rezoning 4846 Eastpark Boulevard from SEC to CC-T and TR-U2, to the Common Council with a recommendation of **approval**; and
- That the Plan Commission forward the preliminary plat and final plat of the *American Center Eastpark Fifth Addition* subdivision to the Common Council with a recommendation of **approval** subject to input at the public hearing and the conditions from reviewing agencies beginning on page 5.

## Background Information

**Parcel Location:** An approximately 24 acres of land generally located on the easterly side of Eastpark Boulevard between N Biltmore Lane and West Terrace Drive; Alder District 17 (Madison); DeForest Area School District and Sun Prairie Area School District.

**Existing Conditions and Land Use:** Undeveloped land, zoned SEC (Suburban Employment Center District).

### Surrounding Land Uses and Zoning:

North: Alliant Energy, zoned SEC (Suburban Employment Center District);

South: Multi-tenant office building and medical clinic (under construction), zoned SEC;

West: Interstate 39-90-94; Baker-Tilly and undeveloped land across Eastpark Boulevard, zoned SEC;

East: Fairway Mortgage, International Union of Operator Engineers, and multi-tenant office building along S Biltmore Lane, zoned SEC.

**Adopted Land Use Plan:** The 2019 [Rattman Neighborhood Development Plan](#) recommends the subject site and surrounding parcels in the American Center for Employment. The 2019 plan shows a public street to extend between Eastpark Boulevard and S Biltmore Lane to break up the large blocks in the American Center to improve connectivity within the business park for cars, transit operations, bikes, and pedestrians. ID 75427 proposes to amend the neighborhood development plan for this portion of The American Center to allow community mixed-use development. See the memo attached to ID 75247 and the “Analysis and Conclusion” section of this report for additional information on the land uses recommended for this portion of the American Center.

**Zoning Summary:** The site will be zoned CC-T (Commercial Corridor–Transitional District) and to TR-U2 (Traditional Residential–Urban 2 District). Refer to Appendix A at the end of this report for a summary of the requirements of those districts and the proposed subdivision’s compliance with them.

**Environmental Corridor Status:** The subject site is not located in a mapped environmental corridor.

**Public Utilities and Services:** The site is served by a full range of urban services, including seven-day Metro Transit service along Eastpark Boulevard. Effective June 2023, Metro Transit will operate daily all-day transit service along

Eastpark Boulevard adjacent this property with trips at least every 60 minutes. In addition, the subject site will be located along the east-west Bus Rapid Transit (BRT) route, one branch of which will extend through the American Center along Eastpark Boulevard.

## Previous Approval

On July 12, 2022, the Common Council re-approved the revised preliminary plat and final plat of *The American Center Eastpark Fourth Addition* at 4902 Eastpark Boulevard. On June 27, 2022, the Plan Commission granted a waiver or variance to one or more design requirements in Section 16.23(8) of the Subdivision Regulations, as allowed by Section 16.23(10) in recommending approval of the revised subdivision to the Council. Recording of this plat is currently pending, but will precede final approval and recording of the proposed *Fifth Addition* plat.

## Project Description

The applicant, Cascade Development, is requesting approval of a request to rezone and further subdivide an undeveloped 24-acre parcel located at 4846 Eastpark Boulevard into two lots for future mixed-use development in CC-T (Commercial Corridor–Transitional District) zoning and seven lot for future multi-family development in TR-U2 (Traditional Residential–Urban 2 District) zoning. The site is currently zoned SEC (Suburban Employment Center District). The plat will also create one outlot for private parkland and one outlot to be dedicated to the public for stormwater management.

The subject property was an outlot for future development created by CSM 15829, which also created a 3.54-acre lot at 5150 Eastpark Boulevard that is currently being developed with a medical clinic. The site was subject to the preliminary plat and final plat of *The American Center Eastpark Fourth Addition* approved in 2021 and 2022 to create a lot for development on each side of Dreamer Drive, an east-west public street that will extend between Eastpark Boulevard and S Biltmore Lane. The *Fourth Addition* plat will also create a private street loop, “Inspire Drive,” in an outlot, which will surround a 0.45-acre private open space to be maintained by the American Center Owner’s Association in a second outlot. Recording of the *Fourth Addition* plat is pending.

The proposed Fifth Addition plat and related zoning map amendment calls for one CC-T lot to be located on either side of Dreamer Drive, Inspire Drive, and the central open space to be created by the Fourth Addition plat. Lot 47 on the north side of Dreamer Drive and the common open space will be approximately 1.83 acres in area, while Lot 55 on the south side is proposed as a 1.76-acre parcel. The letter of intent indicates that the future buildings on Lots 47 and 55 will front onto the commons as five-story mixed use buildings with commercial space on the first floor.

In addition to Dreamer Drive and Inspire Drive, the proposed development will be served by two north-south public streets to extend between Dreamer and Eastpark, shown as Street ‘A’ and Street ‘B’. North of Dreamer Drive, three lots will be zoned TR-U2 and developed in the future with 4-5 four-story multi-family buildings based on a concept plan submitted with the applications, which shows how the proposed lots may be developed in the future. South of Dreamer Drive, five multi-family buildings are shown on the four TR-U2 lots proposed. The letter of intent indicates that the resulting development may result in approximately 950 multi-family units and 14,000 square feet of commercial space, which will be developed in phases as market conditions dictate.

Specific, detailed plans for the future development of the proposed lots are not pending before the Plan Commission at this time. Rather, it is anticipated that future zoning approvals will be required for the development

conceptually shown for the nine lots prior to issuance of building permits, including potential conditional uses for the number of multi-family units, outdoor recreation, and residential building complexes proposed on the seven TR-U2-zoned lots, and dwelling units in mixed-use buildings on the two CC-T-zoned lots, which will require further review and approval by the Plan Commission.

The applicant is proposing an approximately 2.08-acre parkland outlot to be located at the northeastern corner of Dreamer Drive and Street 'A', which is shown as Outlot 22. The proposed parkland will be privately owned and maintained and is primarily intended to serve the mixed-use and residential development but also be open to the public. The privately maintained park open to the public is proposed to be consistent with Section 16.23(8)(f)8 of the Subdivision Regulations, which allows privately-owned and maintained open space for park and recreational purposes that will not be closed to the public to be credited against the requirement of dedication for park and recreation purposes, or the payment of fees in lieu thereof. However, as noted in the Parks Division comments, the proposed park outlot will not be sufficient to cover the land dedication requirements for the quantity of residential development proposed, which will require that fee be paid in lieu of dedication for the balance.

## Analysis and Conclusion

The applicant is request approval of a request to rezone the 24-acre parcel from SEC to CC-T and TR-U2 to allow development of future mixed-use and multi-family residential development on nine lots to be created by the related preliminary plat and final plat of *The American Center Eastpark Fifth Addition*. While plans have been provided with the rezoning and subdivision application showing how the subject site will be developed following approval and recording of the plat, the applicant is not seeking the land use approvals required to implement that development at this time, and subsequent land use approvals will be required before building permits may be issued.

Concurrent with the proposed rezoning and *Fifth Addition* subdivision, the Planning Division has prepared an amendment to the Rattman Neighborhood Development Plan to change the land use recommended for the subject site from Employment to Community Mixed-Use (CMU). Approval of the plan amendment has been entered as Resolution ID [75247](#).

The 2019 amendment to the neighborhood development plan included a note referencing a map note pertaining to this area in the 2018 Comprehensive Plan, which identified a potential second CMU node along Eastpark Boulevard on the west side of the American Center. Map Note 16 states: *"This location may be appropriate for Community Mixed Use development if additional connectivity in the street network is provided to break up large blocks and sufficient accessible parkland is dedicated for residential dwelling units."* A minor plan amendment to the Rattman Neighborhood Development Plan would be required at the time any such mixed-use development came forward, but the 2019 plan maintained the Employment recommendation in the meantime. The 2019 plan noted that future development in this area of the American Center as well as throughout the planning area, "should be more intensive and have buildings fronting on streets."

Per the 2019 Rattman Neighborhood Development Plan, CMU development are planned to be the primary activity center for the entire planning area and should include mixed-use, multi-story buildings that front on and be placed close to streets to create a compact development pattern that is attractive to pedestrians and creates a sense of place. CMU areas should be developed using transit-oriented development standards. High quality architectural design, building materials, landscaping and other urban amenities such as plazas, decorative furniture, and lighting are required in the CMU district. Buildings in the CMU district should be between two to six stories in height.

Commercial uses in this CMU district are recommended to include retail, service, financial, lodging, and entertainment. Development in this District should be compact and urban in character. Big box retail development and strip commercial development are not recommended. It is recommended that relatively high-density residential uses be developed within the CMU district to add vibrancy, especially in the evenings and on weekends when some non-residential uses are not in operation. Residential dwellings could be part of exclusively residential buildings or located within mixed-use buildings with ground floor retail, service, or office uses and upper floor residential uses. Residential densities are recommended between 70 and 130 dwelling units per acre.

The Planning Division believes that the requested CC-T and TR-U2 zoning can implement the general recommendations for Community Mixed-Use development in the Rattman Neighborhood Development Plan. While the concept plans included with the rezoning request and subdivision are illustrative in nature, staff feels that the development pattern reflected will implement many of the recommendations noted above. The opportunity to review individual buildings/projects for consistency with the CMU district recommendations will occur when more detail plans are submitted for review prior to the issuance of building permits.

As noted in the memo reviewing the plan amendment, staff also feels that the internal street network proposed will provide important access and frontage for the individual development lots. Additionally, Streets 'A' and 'B' will further break down the scale of blocks in this portion of the American Center to improve connectivity within the business park for all forms of transportation, which was an important tenet of the 2019 plan amendment. Finally, staff also feels that the proposed park meets the requirements of the 2018 Comprehensive Plan map note to provide adequate parkland for residential land uses.

## Recommendation

### Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

The Planning Division recommends the following to the Plan Commission:

- That the Plan Commission recommend **approval** of the amendment to the Rattman Neighborhood Development Plan to revise the land use recommendation for approximately 24 acres of land located on the east side of Eastpark Boulevard at proposed Dreamer Drive from Employment to Community Mixed-Use;
- That the Plan Commission forward Zoning Map Amendment ID 28.022-00608 and ID 28.022-00609, rezoning 4846 Eastpark Boulevard from SEC to CC-T and TR-U2, to the Common Council with a recommendation of **approval**; and
- That the Plan Commission forward the preliminary plat and final plat of the *American Center Eastpark Fifth Addition* subdivision to the Common Council with a recommendation of **approval** subject to input at the public hearing and the conditions that follow.

### **Recommended Conditions of Approval** Major/Non-Standard Conditions are Shaded

#### Planning Division

1. The applicant shall work with the property owner to provide an updated/revised preliminary plat for the overall approximately 825-acre *American Center* development generally bounded by Hoepker Road on the north, American Parkway on the east, US Highway 151 on the south, and Interstate 39-90-94 on the west that

reflects the subdivision of the 24-acre subject property into the lots and outlots shown on the concurrent final plat.

2. That prior to final approval and recording of the final plat, the applicant shall demonstrate compliance with the requirements in Section 16.23(8)(f)8 of the Subdivision Regulations for privately-owned and maintained open space, including the execution of land use restrictions and open space easements in a form acceptable to the Parks Division, Planning Division, and City Attorney's Office.
3. Note: Recording of The American Center Eastpark Fifth Addition cannot occur until The American Center Eastpark Fourth Addition has been granted final City approvals and been recorded at the Dane County Register of Deeds.

**The following conditions of approval have been submitted by reviewing agencies:**

**City Engineering Division** (Contact Brenda Stanley, (608) 261-9127)

4. A Phase 1 environmental site assessment (per ASTM E1527-13), is required for lands dedicated to the City. Provide one (1) digital copy to Brynn Bemis ((608) 267-1986, bbemis@cityofmadison.com).
5. The City has limited sewer capacity in this area (particularly to the north of the plat). Off-site sanitary sewer improvements may be required by the developer as a condition for development. The applicant shall provide Mark Moder (608) 261-9250, mmoder@cityofmadison.com, with projected wastewater flow data and the direction for which the flow will be directed.
6. The streets being constructed as part of the proposed plat are required by NR-151 to be treated for stormwater management. It is unclear how that requirement will be met. The applicant shall provide the City Engineer with a stormwater management plan that documents the intent to meet this requirement.
7. Enter into a City / Developer agreement for the required infrastructure improvements. The agreement shall be executed prior to sign-off. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.
8. Construct Madison standard street, multi-use path, and sidewalk improvements for all streets within the plat.
9. Make improvements to Eastpark Boulevard and S Biltmore Lane in order to facilitate ingress and egress to the development. The improvements shall include medians, street widening, bike lanes and modified driveways as required by City Traffic Engineer.
10. Construct Dreamer Drive from the eastern plat terminus to S Biltmore Lane.
11. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
12. 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.

13. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat, the applicant shall contact either Tim Troester at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley at 261-9127 (bstanley@cityofmadison.com) 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).
14. An Erosion Control Permit is required for this project.
15. A Storm Water Management Report and Storm Water Management Permit is required for this project.
16. A Storm Water Maintenance Agreement (SWMA) is required for this project.
17. 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 (DPS) and no separate submittal to this agency or Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.
18. Submit a soil boring report that has been prepared by a Professional Engineer two weeks prior to recording the final plat to the City Engineering Division indicating the ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than nine (9) feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
19. Confirm that adequate sight distance exists where streets intersect per AASHTO design standards for intersection sight distance. If adequate sight distance does not exist, change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make mitigating improvements as required by the City. Note that the improvements indicated may require right of way outside of the plat limits.
20. 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.
21. 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.
22. 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.

23. 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.

The applicant shall demonstrate that water can leave the site and reach the public ROW without impacting structures during a 100-year event storm. This analysis shall include reviewing overflow elevations and unintended storage occurring on site when the storm system has reached capacity.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

24. 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](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West).

**City Engineering Division – Mapping Section** (Contact Jeff Quamme, (608) 266-4097)

25. The portions of the Public Utility Easements that are within the any area being dedicated to the public for street purposes shall be released by the Private Public Utilities. They also shall be released in a separate document prepared by City Office of Real Estate Services. Contact Jeff Quamme of Engineering Mapping ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com), 266-4097) to coordinate the Real Estate project, and associated information and fees required. The releases shall be required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat.

26. The plat is located in two different school districts. Therefore, Lots 52 and 53 will be split and parceled by the Assessor's Office along the school district line. In order to recombine the parcels into the platted lot, a petition to the School District will be needed in order to place the square footage all in one school district.

27. In accordance with Chapter 236, Wisconsin Statutes, the applicant must show the type, location and width of any and all easements on a plat or CSM. 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.

28. Remove the private sign easement from Outlot 21. Private use of public lands is to be avoided.
29. Dimension the vision corners from the property corners and place text in the labels directing to the text having the specifics of the restriction.
30. The Stormwater Easement in the southwest corner of Lot 47 will be a Public Storm Sewer Easement granted by the plat of the Fourth Addition. It will also extend to the east right of way of Eastpark Blvd. The note shall be modified accordingly and shall reference the Fourth Addition plat that is granting the easement.
31. The Private Storm Water Easements shown in the northeasterly corner of Lot 51 and the northerly side of Lot 53 treat public street stormwater, and therefore will be granted by the Fourth Addition as Public Stormwater Management Easements. Modify the notes accordingly to acknowledge the grant as per the plat of the Fourth Addition.
32. Insert standard language pre MGO 16.23(9)(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.
33. Note: Comprehensive reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management that are necessary in the future to accomplish the future proposed site development within any of the lots within this plat will be required for any site development approval.
34. The Public Stormwater Easement at the westerly corner of Lot 55 will be a Private Storm Sewer Easement in favor of Outlot 19 of the Fourth Addition granted on the same plat. The easement shall include terms and conditions of construction, maintenance, repair and replacement.
35. Add a label to adjacent Outlot 20 that it is reserved for future public right of way per the Fourth Addition.
36. Currently only a portion of the private Drainage Easement per Document No. 5778376 is being released as part of the Fourth Addition. Public drainage rights are also to be granted as a condition of approval for the 4th Addition over the easterly side of Lots 51 - 53. The release and new easement shall be referenced on this plat. Coordinate with the consultant that is completing the plat of the Fourth Addition.
37. Notes containing the title information from the exceptions noted on the Preliminary Plat for Exceptions 10, 12, 16 and 17 shall be added to the final plat. Also on the map and in title correct Document Nos. 2379030 to 2379020.
38. The Owner's Certificate and Consent of Mortgagee Certificate shall be correctly updated with the required title update prior to final sign-off.
39. The measured coordinates for the Public Land and Meander Corners shall be provided. Currently, only record coordinates are shown and not measured values.

40. 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.
41. 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.
42. Conditions of approval noted herein are not intended to be construed as a review determining full compliance with Madison General Ordinances and State of Wisconsin Statutes. The licensed professional preparing the land division is fully responsible for full compliance with all ordinances and statutes regulating this proposed subdivision.
43. The required location map on the plat is missing.
44. This pending plat application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to Zoning and Building Inspection staff prior to issuance of building permits for new construction or early start permit.
45. The north road segment will have a name of Luminous Lane. The south road segment will have a name of Jacks Lane.
46. Submit to Jeff Quamme, 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.

**Traffic Engineering Division** (Contact Sean Malloy, (608) 266-5987)

47. Final public right of way configuration and design along with site plans are not approvable through the plat approval process. The applicant is showing, in their supplemental plans, a proposed 42-foot wide street, which is not supported by Traffic Engineering.

48. The applicant shall execute and return a declaration of conditions and covenants for streetlights prior to sign-off.

**Zoning Administrator** (Contact Jenny Kirchgatter, (608) 266-4429)

This agency reviewed the request and has recommended no conditions of approval.

**Fire Department** (Contact Bill Sullivan, (608) 261-9658)

49. The Madison Fire Department does not object to the overall design of the project. It is the design team's responsibility to ensure the buildings comply with all applicable building and fire codes as well as all Madison General Ordinances.

**Water Utility** (Contact Jeff Belshaw, (608) 261-9835)

50. Submit a Site Utility Plan indicating the proposed water main throughout the development.

51. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat per MGO 16.23(9)(d)(3).

52. All public water mains and water service laterals shall be installed by a standard City subdivision contract / City-Developer agreement. Applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.

**Metro Transit** (Contact Tim Sobota, (608) 261-4289)

53. In coordination with public works improvements, the applicant shall install and maintain an accessible concrete boarding pad surface at the planned bus stop on the east side of Eastpark Boulevard, north of the Dreamer Drive intersection.

54. In coordination with public works improvements, the applicant shall install and maintain an accessible concrete boarding pad surface at the planned bus stop on the west side of Eastpark Boulevard, south of the Inspire Drive intersection.

55. The applicant shall install and maintain a new passenger waiting shelter with seating amenity - either as part of the private landscape plan or in the public right-of-way area - serving the curbside bus stop zone on the west side of Eastpark Boulevard, south of the Inspire Drive intersection area. If located in the public right-of-way, the applicant shall submit a Privilege in Streets (Bus Shelter) application for review by the City. An approved Encroachment Agreement, for the bus shelter, shall be executed prior to sign off. Contact City Real Estate to start the Privilege in Streets (Bus Shelter) application process. 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.

**Parks Division** (Contact Kathleen Kane, (608) 261-9671)

56. 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 North Park-Infrastructure Impact Fee district. Please reference ID# 20055 when contacting Parks Division staff about this project.

57. The plat, as currently proposed, includes two lots for future mixed-use development; seven lots for future multi-family development; one outlot for public stormwater management; and one outlot for private open space with public-access easement to occur over several phases of construction. The parkland dedication requirement for a single family / duplex unit is 1,081 square feet and for a multi-family unit is 734 square feet per MGO Sec. 16.23(8)(f) and 20.08(2).
58. Outlot 22 is described on the plat as “to be used as a private park” and is +/- 2.0851 acres (90,828 square feet) with a public access easement. Depending on final unit counts and as proposed, Outlot 22 is insufficient in size to fully meet the parkland dedication requirements and park land dedication fees (“fee in lieu”) will be due for the proposed development.
59. Prior to sign off on the final plat, the applicant shall execute a declaration of conditions and covenants along with an impact fee schedule for the park impact fees for this development. This document will be recorded at the Register of Deeds. The applicant shall be responsible for all recording fees.
60. 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.

**Forestry Section** (Contact Jeffrey Heinecke, (608) 266-4890)

This agency has reviewed the request and recommended no conditions of approval.

**Office of Real Estate Services** (Contact Jenny Frese, (608) 267-8719)

61. 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.
62. 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.
63. 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.
64. 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.
65. 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.

**Appendix A – Proposed Zoning District Requirements**

The following requirements apply in the proposed CC-T and TR-U2 zoning districts:

**CC-T (Commercial Corridor–Transitional) District**

| Requirements   | Required   | Proposed  |
|--|--|---|
| Minimum Front Yard Setback   | 0' or 5'   | All lots will comply; future development of Lots 47 and 55 will be reviewed for compliance with these requirements at the time of permitting. |
| Maximum Front Yard Setback   | 65'  |   |
| Side Yard Setback: Street side yard  | 0' or 5'   |   |
| Side Yard Setback: Where buildings abut residentially zoned lots at side lot line  | Minimum side yard required in the adjacent residential district (TR-U2: 10') |   |
| Side Yard Setback: Where proposed buildings or abutting buildings have window openings in side wall(s) within 6' of lot line | One-story: 5'<br>Two-story or higher: 6'                                     |   |
| Rear Yard Setback  | The lesser of 20% of lot depth or 20'  |   |
| Usable Open Space  | 40 sq. ft./dwelling unit   |   |
| Maximum Lot Coverage   | 85%  |   |
| Maximum Building Height  | 5 stories/78'  |   |

**TR-U2 (Traditional Residential–Urban 2 District)**

| Requirements  | Required: Multi-family   | Proposed   |
|---|--|--|
| Lot Area (sq. ft.)  | 350 sq. ft./dwelling unit<br>(Maximum future units)  | Lot 48: 47,175 sq. ft. (134)<br>Lot 49: 73,736 sq. ft. (210)<br>Lot 50: 136,258 sq. ft. (389)<br>Lot 51: 121,388 sq. ft. (346)<br>Lot 52: 68,267 sq. ft. (195)<br>Lot 53: 111,110 sq. ft. (317)<br>Lot 54: 32,461 sq. ft. (92) |
| Lot Width   | 50'  | Lot 48-54: All lots will exceed 50'  |
| Front Yard Setback  | 15'  | Future development of Lots 48-54 will be reviewed for compliance with these requirements at the time of permitting.  |
| Max. Front Yard Setback   | 30' or up to 20% greater than block average  |  |
| Side Yard Setback   | 10'  |  |
| Reverse Corner Side Yard Setback                                      | 12'  |  |
| Rear Yard Setback   | Lesser of 25% lot depth or 20'   |  |
| Usable Open Space   | 40 sq. ft./d.u.  |  |
| Maximum Lot Coverage  | 80%  |  |
| Maximum Building Height   | 6 stories/78'  |  |
| <b>Other Critical Zoning Items</b>                                    |  |  |
| Yes:  | Utility Easements  |  |
| No:   | Barrier Free, Urban Design, Wellhead Protection, Floodplain, Landmarks, Waterfront Development |  |
| <i>Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator</i> |  |  |