

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of May 28, 2008**

RE: I.D. # 10125: Zoning Map Amendment I.D. 3354 & 3355, rezoning 1507 Burning Wood Way from PUD-GDP-SIP to Amended PUD-GDP-SIP and I.D. #10657, Approval of the Final Plat of Burning Wood Estates

1. Requested Actions: Approval of a request to rezone 1507 Burning Wood Way from Planned Unit Development, General Development, Specific Implementation Plan (PUD-GDP-SIP) to Amended PUD-GDP-SIP and approval of a final plat creating three lots and one outlet to allow construction of three single-family residences in place of three previously approved duplexes.
2. Applicable Regulations: Section 28.12 (9) provides the process for zoning map amendments; Section 28.07 (6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Developments. The subdivision process is outlined in Section 16.23 (5)(b) of the Subdivision Regulations.
3. Report Prepared By: Timothy M. Parks, Planner.

GENERAL INFORMATION

1. Applicant & Property Owner: Cherokee Park, Inc.; 5000 N. Sherman Avenue; Madison; Craig Makela, representative.

Surveyor: Daniel V. Birrenkott, Birrenkott Surveying, Inc.; 1677 N. Bristol Street; Sun Prairie.
2. Development Schedule: The applicant wishes to begin construction once all regulatory approvals have been granted, with completion anticipated in Fall 2009.
3. Location: Approximately 3.4 acres of land located adjacent to the northern end of Burning Wood Way; Aldermanic District 18; Madison Metropolitan School District.
4. Existing Conditions: The subject site is undeveloped.
5. Proposed Land Use: The applicants will construct three single-family residences on the three lots, with delineated wetlands and setbacks to the located on the outlet, which will privately held and maintained.
6. Surrounding Land Use and Zoning:
North: Cherokee Marsh Conservation Park;

South: Single-family residences in the Fourth Addition to Cherokee Park subdivision, zoned R1 (Single-Family Residence District);

West: Future City of Madison parklands, Yahara River (Cherokee Lake);

East: Cherokee Country Club in the Town of Westport.

7. Adopted Land Use Plan: The Cherokee Special Area Plan identifies the subject site as part of the "Fifth Addition" planning sub-area with future low-density residential uses up to eight dwelling units per acre, and park, open space and stormwater management uses.
8. Environmental Corridor Status: The area where the three single-family residences are proposed to be built is not located within the mapped environmental corridor.
9. Public Utilities & Services: The property will be served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the standards for zoning map amendments, planned unit development districts and final plats.

PREVIOUS APPROVAL

On August 7, 2007, the Common Council approved a request to rezone the 7.4-acres consisting of the subject site and adjacent future City parkland from Temporary A (Agriculture District) to Planned Unit Development, General Development, Specific Implementation Plan (PUD-GDP-SIP) to allow construction of three two-family condominium buildings. A Certified Survey Map dividing the 7.4-acre site into two lots to facilitate the residential development and the creation of the parcel parkland was also approved.

PLAN REVIEW

The site plan approved in 2007 for the duplex condominiums proposed three buildings arrayed at different setbacks from a 20-foot wide private access drive that would extend north from the existing dead-end of Burning Wood Way in the Fourth Addition to Cherokee Park subdivision. The private drive was approved to end in a small turnaround, with a 10-foot wide public bike path to continue to the east to connect to future phases of development in the Fifth Addition planning sub-area off of N. Sherman Avenue.

The amendment to the planned unit development proposed by Cherokee Park, Inc. largely follows the approved duplex plan with the exception that the dwelling units will be converted to three single-family residences on fee-simple lots to be created by the proposed final plat. The final plat will also create an outlot for private stormwater management in the northeasterly corner of the 3.4-acre site. The amended PUD does not propose changes to the 10-foot bike path or the approximately 4 acres of land between the site and the Yahara River, which the City will be purchasing later this year for parkland as provided for in the Memorandum of Understanding between the City and Cherokee Park, Inc.

The applicant has submitted a revised site plan that identifies three identical single-family home layouts for the three lots, each with individual driveways extending from the private extension of Burning Wood Way. The lots the three residences will be located on will be a minimum of 110 feet in width as measured along the private drive. Setbacks for the single-family residences vary, though a 25-foot setback is shown between the southernmost house and the existing residences in the Fourth Addition area in response to concerns expressed during the public review of the duplex proposal last year. Staff will ask that a 20-foot building setback line be provided with the recorded documents to ensure sufficient separation between the existing adjacent homes and the residences proposed. All three single-family residences will be located outside of the 75-foot setback for the wetlands located on the proposed outlot and the adjacent Cherokee Country Club property. The raingardens proposed to filter runoff from driveways and gutters included with the original duplex proposal are carried through into the single-family amendment.

The plan set also includes a prototypical design for the single-family residences proposed with the amendment that calls for single-story structures with exposed lower levels and attached two-car garages. The house prototype suggests a prairie design. The letter of intent submitted with the application, however, indicates that the final design of the three homes will be determined by the individual homeowners with the approval of the development's architectural review committee.

EVALUATION & CONCLUSION

The Planning Division believes that the proposed PUD-GDP-SIP amendment to convert the three duplex buildings at the northern end of Burning Wood Way to single-family residences can meet the standards for approval for planned unit developments. The project conforms substantially to the recommendations of the Cherokee Special Area Plan, which recommends development of this portion of the planning area with low-density residential uses up to eight units an acre in a combination of single-family residences and attached dwelling units. The proposed amendment lowers the density of the project area from 1.77 units an acre to 0.68 units an acre, based on the 3

units occupying 2.03 acres of the 3.4-acre site lest the 1.37-acre private stormwater management outlet.

In general, staff believes that the project can be approved even without the final architectural details for the proposed buildings, which are customarily included with a specific implementation plan when submitted for approval. The Planning Division generally supports the built-to-suit approach proposed and believes that the general design guidelines proposed by the applicant are sufficient to grant approval of the project. Staff proposes a condition of approval that will give Planning Division staff the ability to approve individual buildings prior to issuance of permits using the general design guidelines proposed, with the opportunity for appeal of the staff decision to the Urban Design Commission. A similar approach has been approved within the last year for two similar planned unit developments located on the west side.

Finally, shoreland zoning requires that any lot within 300 feet of a shoreland as defined in State Statutes, in this case the Yahara River, be a minimum of 100 feet wide and 15,000 square feet in area, with development not to exceed 30% lot coverage. In this case, the three single-family lots proposed exceed the lot width and area requirements. Staff recommends that the site plan and zoning text be revised to note that development on Lots 1-3 be restricted to no more than 30% of the lot area of those parcels.

The Urban Design Commission reviewed the amended planned unit development on April 23, 2008 and recommended final approval (see attached reports).

RECOMMENDATIONS

The Planning Division recommends that the Plan Commission forward Zoning Map Amendments 3354 & 3355, rezoning 1507 Burning Wood Way from PUD-SIP to Amended PUD-GDP-SIP, and the final plat of Burning Wood Estates to the Common Council with a recommendation of **approval** subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the zoning text be revised per Planning Division and Zoning approval as follows:
 - a.) the floor area ratio shall be noted "as shown on the approved plans;" the height shall be limited to two stories and 35 feet;
 - b.) uses for this project shall be listed as: "Single-family residences as shown on the attached plans and any accessory uses related thereto;"
 - c.) a section shall be added noting that the final architectural and landscaping details for individual buildings shall be approved by the Planning Division prior to issuance of building permits using the general design guidelines included in the

letter of intent. Submittal for approval of individual buildings shall include a detailed site plan, contextual site information, building elevations with materials and colors, and the size and species of landscaping materials to be planted if different from the landscaping plan included in the plan set. Any appeal of a staff decision shall be made to the Urban Design Commission for consideration;

- d.) building coverage shall be limited to 30% of lot area;
 - e.) signage is limited to the maximum permitted in the adjacent R1 zoning district and as approved by the Urban Design Commission and Zoning Administrator.
3. That the specific implementation plan and final plat be revised per Planning Division approval prior to recording as follows:
- a.) that building envelopes be shown for all three lots and that those envelopes not exceed 30% of each lot's area and extend no closer to the rear property lines than the previously approved duplexes;
 - b.) that show a 20-foot building setback line parallel to the southern line of proposed Lot 1.



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.
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Gregory T. Fries, P.E.

Facilities & Sustainability
Jeanne E. Hoffman, Manager
James C. Whitney, A.I.A.

Operations Manager
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

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

Financial Officer
Steven B. Danner-Rivers

DATE: May 19, 2008
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer
SUBJECT: 1507 Burningwood Way Plat and Rezoning

The City Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. Each lot shall be served by a separate sanitary sewer lateral. Because of rezoning from duplex to single family land use, there is a surplus of laterals. Excess laterals shall be capped or plugged in accordance with City specifications.
2. Revise plan to include City's existing sanitary sewer mains/laterals and developer's proposed sanitary laterals.
3. Outlot 1 shall be clearly designated public or private. If it is to be public, it shall be clearly dedicated to the public for the specific intended exclusive use.
4. There are numerous typographical errors on the face of the plat that shall be addressed prior to final approval and recording.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

**Engineering Division Review of Plats (Pre-Preliminary, Preliminary, Final)
and Certified Survey Maps**

Name: 1507 Burningwood Way Plat and Rezoning

General

- 1.1 The Developer shall enter into a City / Developer agreement for the installation of public improvements required to serve this plat/csm. 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/csm without the agreement executed by the developer.
- 1.2 Two weeks prior to recording the final plat, a soil boring report prepared by a Professional Engineer, shall be

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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' below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.

1.3 The Developer is required to pay Impact Fees for the _____ Impact Fee District for Lot(s) _____ of the _____ Plat/CSM. The current rate is \$ _____ /1000SF for a total of \$ _____. The Developer shall select one of the following two options for payment of these fees:

- 1) Impact Fees shall be paid in full prior to Engineering sign-off of the plat/csm.
- 2) The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall have fourteen (14) days after receiving the invoices to pay the outstanding impact fees. The following shall be required prior to plat sign off;
 - a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a CADD file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision..
 - b) All information shall transmitted to Janet Dailey by e-mail at jdailey@cityofmadison.com, or on a CD to:

Janet Dailey
City of Madison Engineering Division
210 Martin Luther King Jr. Blvd
Room 115
Madison, WI 53703
 - c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.

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).

Right of Way / Easements

- 2.1 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.2 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping _____ feet wide along _____.
- 2.3 It is anticipated that the improvements on [roadway name] _____ required to facilitate ingress and egress to the plat/csm will require additional right of way and/or grading easements located outside the plat/csm boundary. The developer shall acquire the right of way and/or sloping easements as required by the City at the developer's expense. In the event that the developer is unable to acquire the right of way and/or sloping easements required, the City shall assist the developer in acquiring the property and the developer shall pay the City for all costs associated with the acquisition.
- 2.4 The Developer shall petition for the street vacation of (roadway name) _____ and provide a legal description and sketch of the right of way to be vacated after consultation with the City Engineer.

Are the following requirements met?

- * Streets Intersect at right angles.
- * A 15 foot minimum tangent at intersections from PC of curve to property line.
- * Arterial intersection spacing generally greater than 1200 feet.
- * Jogs are avoided at intersections. Arterial streets shall be adjusted to align if spacing less than 300 feet.
- * Spacing of intersections on local streets shall be greater than 300 feet.
- * Cul-de-sacs shall be less than 1000 feet long.
- * 100 foot tangents between curves.

2.5 _____

2.6 Property lines at intersections shall be rounded with a 15 foot radius on _____

2.7 Property lines at intersections shall be rounded with a 25 foot radius on _____

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- 2.8 The right of way width on _____ shall be _____ feet, on _____ shall be _____ feet and on _____ shall be _____ feet.
- 2.9 _____ shall have a minimum centerline radius of _____ feet and _____ shall have a minimum centerline radius of _____ feet.
- 2.10 The cul-de-sac on _____ shall have a minimum radius of _____ feet with a minimum reverse curve radius of _____ feet.
- 2.11 The plat/csm shall show a temporary limited easement for a temporary cul-de-sac on _____ having a radius of _____ feet and a reverse curve radius of _____ feet. The easement(s) shall expire when the streets are extended.
- 2.12 The developer shall show on the plat/csm a 40 foot utility easement adjacent to [roadway name] _____. The easement wording shall be approved by the City Engineer. The intent of the easement is to allow for the relocation of a major transmission line. The actual poles would remain on the right of way however major transmission lines require an easement beyond the space occupied by the poles for safety.
- 2.13 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.14 The Developer shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement _____ feet wide from _____ to _____.
- 2.15 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from _____ to _____. The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.
- 2.16 Public Sanitary Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sanitary Sewer Easement Area(s) 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 the public sanitary sewer facilities.
 - b. No above-ground improvements shall be located in the Public Sanitary Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public sanitary sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Sanitary Sewer Easement Area(s) 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 property owner.
 - d. The property owner shall not change the grade of the Public Sanitary Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Sanitary Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.17 The Public Sidewalk Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) 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 the public sidewalk improvements.
 - b. No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Sidewalk Easement Area(s) 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 property owner.
 - d. The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.18 The Public Storm Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Storm Sewer Easement Area(s) 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 the public storm sewer facilities.

- b. No above-ground improvements shall be located in the Public Storm Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public storm sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
- c. Plantings and landscaping within the Public Storm Sewer Easement Area(s) 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 property owner.
- d. The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division. The Public Storm Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

2.19 The Public Water Main Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:

- a. The property owner reserves the right to use and occupy the Public Water Main Easement Area(s) 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 the public water main facilities.
- b. No above-ground improvements will be allowed in the Public Water Main Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
- c. Plantings and landscaping within the Public Water Main Easement Area(s) 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 property owner.
- d. The property owner shall not change the grade of the Public Water Main Easement Area(s) without the prior written approval of the City's Engineering Division.
- e. The Public Water Main Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

Streets and Sidewalks

- 3.1 The Developer shall construct Madison Standard street improvements for all streets within the plat/csm.
- 3.2 The developer shall show a 30 40 (*Strike one, 30 collector, 40 Arterial*) foot building setback line on the plat/csm adjacent to [Roadway Name] _____ for all lots in the plat/csm adjacent to said roadway.
- Note: No buffer strip shall be dedicated to the City as the City does not want the maintenance.*
- 3.3 Extensive grading may be required due to steep roadway grades.
- 3.4 The developer shall note that City funds for park frontage are limited and will be determined at the sole discretion of the City.
- 3.5 The developer shall construct sidewalk and record a waiver of their right to notice and hearings for the assessments for the improvement of [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO. Said sidewalk constructed in front of and waiver recorded to Lot(s) _____.
- 3.6 The Developer shall make the following improvement to [Roadway Name] _____. The Developer shall construct sidewalk and _____ feet of a future _____ foot roadway including curb and gutter on the _____ side of the roadway.
- 3.7 The Developer shall construct sidewalk to a plan approved by the City Engineer and complete ditching as required by the City Engineer along [Roadway Name] _____.
- 3.8 The Developer shall grade the right of way line to a grade established by the City Engineer and complete ditching along the roadway as specified by the city engineer along [Roadway Name] _____.
- 3.9 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along _____. (Also require the City / Developer agreement line 1.1)
- 3.10 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along _____. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.11 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] ___ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and section 4.09 of the MGO.
- 3.12 The Applicant shall grade the property line along _____ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development. This

permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

- 3.13 Developer shall make improvements to [Roadway Name] _____ considered temporary to facilitate ingress and egress to the plat/csm until such time as the ultimate improvement of the roadway is undertaken by the city.
- 3.14 The Developer shall make improvements to Burningwood Way to facilitate ingress and egress to the plat/csm.
- [Select one of the below comments for either of the above or leave general]
- The above improvement will consist of acceleration and deceleration tapers.
- The above improvement consists of rights turn lanes.
- The above improvement will consist of passing lanes.
- The above improvement will consist of median openings.
- Caution – The improvements indicated above may require right of way outside of the plat/csm. See comment 2.3 to require additional right of way for this purpose.*
- 3.15 The developer shall note the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat/csm.
- 3.16 The developer shall confirm that adequate sight distance exists on _____ where public streets intersect. If adequate sight distance does not exist, the developer shall change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make other mitigating improvements as required by the City.
- 3.17 All proposed street names shall be approved by the City Engineer. Applicant shall contact Lori Zenchenko (608-266-5952) with street name requests.
- 3.18 Installation of "Private" street signage in accordance with 10.34 MGO is required.
- 3.19 Coordinate all necessary new interior addresses associated with this proposed development with City Engineering Program Specialist Lori Zenchenko izenchenko@cityofmadison.com or (608) 266-5952

Storm Water Management

- 4.1 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.
- 4.2 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 REDIVISION 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.

Information to Surveyor's: In addition to notes such as this, WI 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.

- 4.3 Arrows shall be added to the certified survey map indicating the direction of drainage for each property line not fronting on a public street. In addition, the certified survey map shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the certified survey map.
- a. Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the

construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.

- b. All lots within this certified survey 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 certified survey. 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 certified survey. 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 REDIVISION 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.

Information to Surveyor's: In addition to notes such as this, WI 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.

- 4.4 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:

- a. 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.

- 4.5 If the lots within this certified survey map are inter-dependent upon one another for storm water runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the certified survey map and recorded at the Dane Co Register of Deeds.
- 4.6 The following note shall be added to the certified survey map. "All lots created by this certified survey map are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to storm water management at the time they develop."
- 4.7 This plat/csm could affect a flood plain, wetland or other sensitive areas. As such, it shall be reviewed by the Commission on the Environment. Contact Mike Dailey at 266-4058 for further details. The proposed plat/csm may be considered a major change to the environmental corridor and be subject to a public hearing and approval of the Dane County Regional Plan Commission.
- 4.8 A portion of this plat/csm may come under the jurisdiction of the US Army Corp of Engineers and Wisconsin Department of Natural Resources for wetland or flood plain issues or navigable waterway. A permit for those matters may be required prior to construction on any of the lots currently within the plat/csm. Contact the WDNR & USACOE for a jurisdictional determination.
- 4.9 Prior to recording the plat/csm, the applicant 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.
 - Detain the 2, 10, & 100-year storm events.
 - Control 40% TSS (20 micron particle).
 - Control 80% TSS (5 micron particle).
 - Provide infiltration in accordance with NR-151.
 - Provide substantial thermal control.
 - Provide oil & grease control from the first 1/2" of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

- 4.10 This site is greater than one (1) acre and the applicant is required by State Statute to obtain a Notice of Intent Permit (NOI) from the

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Wisconsin Department of Natural Resources. 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>.

- 4.11 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

- 4.12 A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact Janet Dailey (608-261-9688) 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).

Sanitary Sewer

- 5.1 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 (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
- 5.2 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 5.3 This land division contains or is adjacent to facilities of MMSD. Prior to approval, applicant shall provide evidence that MMSD has reviewed and approved the proposed land division.

Mapping / Land Records

- 6.1 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.**
- 6.2 In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference **City of Madison WCCS Dane Zone, 1997 Coordinates** on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. City of Madison has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City of Madison Engineering Division web address http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html for current tie sheets and control data. If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact Engineering Division for this information.
- 6.3. 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/CSM** 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
 - 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).

NOTE: This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.

NOTE: 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.

- 6.4 In accordance with Section s.236.34(1) (c) which says a CSM shall be prepared in accordance with s.236.20(2) (c) & (f), Wisconsin Statutes, the Applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements which are being conveyed by the Plat/CSM. Identify the owner and/or benefiting interest of all easements.

- 6.5 Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), final CSM must be submitted to Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the FINAL CSM in PDF form is preferred. Transmit to epederson@cityofmadison.com

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**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: June 2, 2008

To: Plan Commission
From: Patrick Anderson, Assistant Zoning Administrator
Subject: 1507 Burningwood Way, Plat and rezoning.

Present Zoning District: PUD-SIPAg

Proposed Use: Lots 1-3 single family homes

Requested Zoning District: PUD(GDP-SIP)

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). **NONE.**

GENERAL OR STANDARD REVIEW COMMENTS

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	8,000	26,000 +
Lot width	65'	106' +
Usable open space	1300 sq. ft.	adequate
Front yard	30'	adequate
Side yards	6'	6'
Rear yard	40'	adequate
Building height	2 stories/35'	1 stories

Site Design	Required	Proposed
Number parking stalls	1 per unit	2 per unit

Other Critical Zoning Items	
Urban Design	No
Flood plain	Yes
Utility easements	Yes
Barrier free (ILHR 69)	No

With the above conditions, the proposed project **does** comply with all of the above requirements.

* Since this project is being rezoned to the **(PUD)** district, and there are no predetermined bulk requirements, we are reviewing it based on the criteria for the **R-1** district, because of the surrounding land uses.

AGENDA # 12

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION	PRESENTED: April 23, 2008
TITLE: 1507 Burningwood Way - PUD-GDP-SIP for Three Single-Family Homes and One Outlot. 18th Ald. Dist. (09861)	REFERRED: REREFERRED: REPORTED BACK:
AUTHOR: Alan J. Martin, Secretary	ADOPTED: POF:
DATED: April 23, 2008	ID NUMBER:

Members present were: Lou Host-Jablonski, Marsha Rummel, Bonnie Cosgrove, John Harrington, Todd Barnett, Richard Slayton and Richard Wagner.

SUMMARY:

At its meeting of April 23, 2008, the Urban Design Commission **GRANTED FINAL APPROVAL** of a PUD-GDP-SIP located at 1507 Burningwood Way. Appearing on behalf of the project were Dan Murray, Rita Melone, and Ann-Marie Kirsch, all representing Cherokee Park, Inc. Ann-Marie Kirsch provided an overview of the previously approved rain gardens, bioinfiltration areas, including site/grading details noting that they remain as previously approved and oversized in satisfaction of previous approvals by the WDNR and the City Engineering Division. She noted that alterations would require reconsideration of facilities already approved for development on the site; therefore, no changes are proposed based on acceptance of the original approval requirements. Based on this factor, the relocation of rain gardens between buildings or the movement of building envelopes to free up yard areas and usable open space was not considered. Murray then presented details of the prototypical "prairie style" building design as previously presented with a summary review of the architectural design criteria contained within the draft covenants which would act to guide development of the now single-family lots consistent with the concept of the homes' prairie style architecture.

Following a review of the design covenants, Murray noted that the lots would be developed as individual owners with their own architects in general conformity with the proposed covenants and design concept, but with independence to develop each building site. Staff noted that the level of "independent" development noted by Murray may be inconsistent with the "prairie style design concept" as presented, where the architectural review covenants provide no direct tie back to the development of the lots to be developed according to the "prairie style" concept as presented. Staff noted its previous request that the applicant provide an overall site development plan dealing with landscaping and grading issues with further specification of typical landscaping to be employed around individual building footprints, including typical building elevations, building materials and color palettes customarily required with approvals of single-family PUD developments of this nature referencing previous approvals of similar developments by Veridian and projects done by architect J. Randy Bruce. The following discussion emphasized the need for the architectural guidelines to be sufficient enough to ensure general conformity with the concept of architecture proposed for these lots, at the same time maintaining some flexibility for their individual development. Staff noted that similar projects of this nature provide the appropriate guidelines, plans and details for their development consistent with the architectural concept as proposed, at the same time allow for flexibility where details as presented require some additional work.

Specific discussion of the architectural review criteria noted issues with the standards for metal soffit, including other elements of the material list as not specific enough to limit materials inconsistent with the prairie style of architecture; where the architectural review standards present difficulties to carrying over the concept of the “prairie style” architecture depicted within the elevations and renderings.

ACTION:

On a motion by Slayton, seconded by Barnett, the Urban Design Commission **GRANTED FINAL APPROVAL**. The motion was passed on a vote of (7-0). The motion for final approval required design guidelines be modified and be further developed and include coordinated building elevations, site plan, landscape plan and other relevant details that effectively provide for the development of each lot consistent with the “prairie style” architecture as proposed, at the same time provide some flexibility for individual development of each lot. In addition, the Commission recommended Ed Linville, the project’s architect be assigned to the architectural review committee for the development of these lots.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 4, 5, 5, 6, 6, 6 and 7.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 1507 Burningwood Way

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	6	6	6	-	-	-	-	6
	-	-	-	-	-	-	-	4
	-	-	-	-	-	-	-	5
	-	-	-	-	-	-	-	7
	5	-	5	-	-	5	6	5
	6	5	6	6	-	6	6	6
	6	-	7	-	-	-	6	6

General Comments:

- Covenants need more specificity to insure high quality architecture like 92 Golf Road project.
- Need tighter, clearer architectural design guidelines.
- Appreciate the thought behind the rain gardens. Tightening of architecture and landscaping. Criteria is needed to lessen widely diverse interpretations.
- Guidelines are weak. Otherwise fine.

AGENDA # 11

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION	PRESENTED: April 9, 2008
TITLE: 1507 Burningwood Way – PUD-GDP-SIP for Three Single-Family Homes and One Outlot. 18 th Ald. Dist. (09861)	REFERRED: REREFERRED: REPORTED BACK:
AUTHOR: Alan J. Martin, Secretary	ADOPTED: POF:
DATED: April 9, 2008	ID NUMBER:

Members present were: Bruce Woods, Marsha Rummel, Todd Barnett, Richard Slayton, John Harrington, Bonnie Cosgrove, Richard Wagner and Jay Ferm.

SUMMARY:

At its meeting of April 9, 2008, the Urban Design Commission **GRANTED INITIAL APPROVAL** of a PUD-GDP-SIP located at 1507 Burningwood Way. Appearing on behalf of the project were Dan Murray and Craig Makela, representing Cherokee Park, Inc. Prior to the presentation staff noted to the Commission that the proposed development site was the subject of a previous approval for three duplex structures. Market conditions, according to the applicant, now dictate the development of three single-family structures providing for more open space on the lots and a better integration with existing single-family development within the area. A review on the modified plans emphasized the compatibility of proposed single-family development with existing single-family development, less lot coverage and less impervious area. A review of the plans noted slight modification to stormwater landscaping and grading as previously proposed. Linville provided an overview of the single-family building architecture. Following the presentation staff noted to the Commission that similar projects as previously approved by Veridian and J. Randy Bruce provide for the approval of typical building elevations, building materials and color palettes, in combination with an overall site development plan dealing with landscaping and grading issues, with further specification of typical landscaping to be employed around individual building footprints with any departure from those approved by the Commission to be approved by staff as generally consistent with the plans as approved. Following the presentation the Commission noted the following:

- Look at relocating rain garden to be placed between buildings or pull in toward homes to free up yard area and usable open space.
- The plans as presented do not provide for the specific alteration to the individual sites when approved as duplex structures to be modified to reflect the proposed use of single-family structures. Specific details need to be provided in regards to landscaping, stormwater and grading.

ACTION:

On a substitute motion by Barnett, seconded by Ferm, the Urban Design Commission **GRANTED INITIAL APPROVAL**. The motion was passed on a vote of (8-0). The motion required an update to the stormwater, landscape and grading plans to reflect the lot's development for single-family purposes rather than as previously

approved for duplex structures. In addition, the applicant was instructed to provide specifics of the design covenants and text including providing more context relevant to the site's location and relationship to adjoining properties. A prior motion by Slayton, seconded by Rummel to refer the project in order to address the above stated concerns was replaced with adoption of the substitute motion.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 5, 5, 5, 6, 6, 6 and 7.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 1507 Burningwood Way

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	-	-	-	-	-	-	-	6
	-	-	-	-	-	-	-	7
	-	-	-	-	-	-	-	5
	6	-	-	-	-	-	-	6
	5	-	5	-	-	-	-	5
	6	-	-	-	-	6	6	6
	6	6	3	-	-	5	6	5

General Comments:

- Much, much better.



Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

Suite 100
215 Martin Luther King, Jr. Boulevard
P.O. Box 2986
Madison, Wisconsin 53701-2986
PH 608 266 4761
TTY 866-704-2315
FAX 608 267 1158

May 22, 2008

TO: Plan Commission
FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager
SUBJECT: **1507 Burningwood Way – Final Plat– Burning Wood Estates /Town of Westport
Sec. 24**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. 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 final sign-off may be delayed until the transportation impact fees are negotiated or approved by the Council.

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. None

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

3. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights & traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.
4. 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 Dan J. McCormick, P.E., City Traffic Engineering at 266-4761 if you have questions regarding the above items.

Contact Person: Craig Makela
Fax: 241-8909
Email: cmakela@cherokeecountryclub.net



CITY OF MADISON FIRE DEPARTMENT

Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295
Phone: 608-266-4484 • FAX: 608-267-1153

DATE: May 27, 2008
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **1507 Burning Wood Way**

The City of Madison Fire Department (MFD) has reviewed the subject development and has the following comments:

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. None

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

2. All portions of the exterior walls of newly constructed one- and two-family dwellings shall be within 500-feet of at least one fire hydrant. Distances are measured along the path **traveled by the fire truck as the hose lays off the truck**. See MGO 34.20 for additional information.
3. As required by MGO 10.34 and IFC 505.1, all residential and commercial buildings must have the approved address posted. The address numbers shall be 4 inches in height, numbers shall be in contrast to the background and visible from the street.
4. Fire lane as listed on plan shall be a minimum of 20 feet clear and unobstructed.

Please contact Scott Strassburg, New Construction Inspector at 608-261-9843 if you have questions regarding the above items.

cc: Bill Sullivan



Department of Public Works
Parks Division

City-County Building, Room 104
210 Martin Luther King, Jr. Boulevard
P.O. Box 2987
Madison, Wisconsin 53701-2987
PH: 608 266 4711
TTY/Textnet: 866 704 2315
FAX: 608 267 1162

May 19, 2008

TO: Plan Commission

FROM: Simon Widstrand, Parks Development Manager

S.W.

SUBJECT: 1507 Burning Wood Way

1. The developer shall pay approximately \$2,587.47 for park development fees.
2. The developer must select a method for payment of park fees before signoff on the SIP.
3. The developer shall meet the dedication requirement by drafting and providing a dedication land bank agreement, as specified in the annexation agreement, prior to signoff on the SIP.

Park development fees = 3 single family units @ \$862.49 = \$2,587.47

The park dedication requirement is 3 single family units @ 1100 square feet = 3,300 square feet. Based on the annexation agreement, this dedication shall be included in a dedication land bank at the Wheeler Road/Delaware Boulevard location. The dedication land bank agreement shall be drafted and provided for City adoption and approved by staff prior to signoff on the SIP.

Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

Please contact Simon Widstrand at 266-4714 or awidstrand@cityofmadison.com if you have questions regarding the above items.

Park Impact Fees Parkland impact fees and park development impact fees shall be paid for this project. Payment checks shall be payable to the City of Madison Treasurer. All questions, payments and deliveries shall be made to the office of the Madison Parks Division. Prior to City signoff on this project, the developer shall select one of the following options for paying these fees:

1. Payment of all fees in a lump sum prior to City signoff on the project.
2. When fees exceed \$20,000, the developer may pay half the fees and provide a two-year letter of credit at no interest for the remaining half of the fees, both prior to City signoff.
3. When fees exceed \$50,000 for plats being built with phased subdivision improvement contracts, the developer may pay the fees due for the number of units in each contract phase, paid at the time of contract execution, and at the fee rates then in effect. Under this option, the fees shall be calculated and

prorated to each lot on the development, and the developer shall record a notice of the outstanding impact fees for each lot prior to receiving City signoff for the project.

4. The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall have fourteen (14) days after receiving the invoices to pay the outstanding impact fees. The following shall be required prior to plat sign off:

- a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a Cadd file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision.
- b) All information shall transmitted to Janet Dailey by e-mail at Jdailey@cityofmadison.com, or on a CD to:
Janet Dailey
City of Madison Engineering Division
210 Martin Luther King Jr. Blvd
Room 115
Madison, WI 53703
- c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.
- d) The Developer shall put the following note on the face of the plat, certified survey map and PUD signoff plan: **ALL THE LOTS / BUILDINGS WITHIN THIS SUBDIVISION / DEVELOPMENT PLAN ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT(S).**

2008 PARK DEDICATION AND FEES

Park Development Impact Fee:

SF single family or duplex unit **\$862.49**

MF multifamily unit **\$554.45**

E-SRO elderly or rooming house unit **\$277.23**

Fee in Lieu of Dedication is based on current property values up to a maximum. The **maximum** rate for fee in lieu of dedication increases 5%, from \$1.8232593 (rounded to \$1.82 for 2007) to \$1.9144222 (rounded to **\$1.91** for 2008).

Max fee in lieu per unit: SF = 1100 sq.ft. @ \$1.91 = \$2101.

MF = 700 sq.ft. @\$1.91 = \$1337.

E-SRO= 350 sq.ft. @ \$1.91 = \$ 668.50.

Total combined fees:

SF =	\$2,963.49
MF =	\$1,891.45
E-SRO =	\$945.73