



Department of Planning & Community & Economic Development
Planning Division

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February 6, 2009

Chris Landerud
Vandewalle and Associates, Inc.
120 E. Lakeside St.
Madison, Wisconsin 53715

Kevin Pape
D'Onofrio, Kottke, and Associates
7530 Westward Way
Madison, Wisconsin 53717

RE: Approval of a request to rezone approximately 34.9 acres located at 6001 Milwaukee Street from Temp. A (Agriculture District) to R2T (Single-Family Residence District), R2Y (Single-Family Residence District), PUD-GDP (Planned Unit Development, General Development Plan), and C (Conservancy); approval of a preliminary and final plat creating 105 residential lots and 6 outlots for stormwater management, park, and alleys (Homburg).

Gentlemen:

At its February 3, 2009 meeting, the Common Council **approved** your client's rezoning, preliminary plat and final plat for the "Eastlawn" subdivision subject to the following conditions of approval from reviewing agencies:

Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following twenty-one (21) items:

1. Additional Driscoll Drive public right-of-way is necessary from Lot 2, CSM 814, (Homburg Equipment Inc. owned property which remains in the Town of Blooming Grove) for public improvements and also highly probable that additional public rights will be necessary adjacent to Milwaukee Street. Rather than dedication to the City by Homburg by separate document, which must be administered by the City Real Estate Unit, involving fees and time, it may benefit the owner to petition annexation of this property to the City of Madison and include in this Subdivision Plat.
2. The developer shall modify the boundary lines of Lot 103 so that the existing manhole located at the southwest corner of the lot is located on public lands dedicated as greenway as required by the City Engineer. The Developer shall modify the boundary lines of Lot 99 at the north rear corner and the south rear corner so that the existing manholes are located on lands dedicated as greenway as required by the City Engineer.
3. The City and the developer shall share in the cost of the greenway crossing between Galileo Drive and Venus Way. The Developer shall construct the path and the bridge abutments. The City shall provide and install the bridge. The engineering costs shall be shared 50% City and 50% developer. This provision shall be included in the Developer Agreement.

4. The developer shall construct sidewalk, curb and gutter, and asphaltic pavement on the south side of Milwaukee Street adjacent to the plat with necessary tapers to match into the existing roadways.
5. Property will be subject to the Door Creek North Phase 2 Impact Fee District (storm and sanitary).
6. The Developer shall provide an easement on the south lot line of Lot 103 to allow enough space to access our sanitary sewer facilities. The City requires a minimum of 15 feet centered on our existing sanitary sewer main. The proposed easement will likely be a width of 5-10 feet.
7. Revise proposed Outlot 6 to include dedication of an area in the northwest corner of Lot 99 sufficient to encompass the existing sanitary sewer structure.
8. Lots 99 through 103 shall have building permits withheld subject to City Engineer approval of a site plan for each lot. Said site plan must conform to easement requirements for the existing sanitary sewer. "Marsh View Drive" is not an acceptable street name due to existing use of Marsh View elsewhere in the City. Two different street names are required for this plat. Submit proposed street names to Engineering Mapping (Izenchenko@cityofmadison.com) for approval.
9. The developer shall enter into a City /Developer agreement for the installation of public improvements required to serve this plat. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this plat without the agreement executed by the developer.
10. The developer shall construct Madison Standard street improvements for all streets within the plat.
11. The applicant shall construct sidewalk along Milwaukee Street to a plan approved by the City Engineer.
12. The developer shall make improvements to Milwaukee Street to facilitate ingress and egress to the plat.
13. 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.
14. Standard notes for public easements for drainage purposes and intra-block drainage easements shall be included on the final plat:
 - a.) All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared

driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

Note: In the event of a City Of Madison Plan Commission and/or Common Council approved re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.

- b.) The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.

Note: In addition to notes such as this, Wisconsin State Plat Review now enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail.

15. 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. No building permits shall be issued prior to City Engineering's approval of this plan.

The following note shall accompany the master storm water drainage plan:

"For purposes of this plan, it is assumed that grading shall be a straight line grade between points unless otherwise indicated. All slopes shall be 0.75% or steeper. Grade breaks between lot corners are shown by elevation or through the use of drainage arrows."

16. Prior to recording the plat, 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; control 80% TSS (5 micron particle), and; provide infiltration in accordance with NR-151.
17. This site is greater than one acre and the applicant is required by State Statute to obtain a Notice of Intent Permit (NOI) from the Wisconsin Department of Natural Resources.
18. A minimum of two working days prior to requesting City Engineering signoff on the plat, the applicant shall contact Janet Dailey 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).

19. 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.
20. 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.
21. The applicant shall submit to Eric Pederson, prior to Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the final plat to the Mapping/GIS Section of the Engineering Division. The digital copies shall be submitted in both NAD27 & WIDOT County Coordinate System, Dane County Zone datums in either Auto CAD Version 2001 or older, MicroStation Version J or older or Universal DXF Formats and contain the minimum of the following, each on a separate layer name/level number: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except **local service** for Cable TV, gas, electric and fiber optics).

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

*New electronic final plat transmittals and notification of changes which occur to the final plat during the time the Engineering Division signs off and receives the digital copies of said plat and the recording thereof, are the responsibility of the Developer/Surveyor.

NOTE: City Engineering Division permit applications are available online at:
<http://www.cityofmadison.com/engineering/permits.cfm>.

Please contact John Leach, Traffic Engineering Division, at 267-8755 if you have questions about the following eight items:

22. 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 at 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 Common Council.
23. The applicant shall contact Traffic Engineering staff to modify the right of way to accommodate the proposed roundabout.
24. Prior to approval, the applicant shall prepare and provide a master ped-bike plan for the plat that is consistent with the City's area wide plans and the plat's specific provisions, to be reviewed and approved by the Traffic Engineer. The applicant may need to modify the right of way to accommodate the ped-bike plan.

25. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights and traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.

26. Utility easements shall be provided as follows:

Between Lots	Between Lots	Between Lots
9 & 27	37 & 38	79 & O.L. 3
10 & 11	41 & 42	81 & O.L. 3
14 & 15	50 & O.L. 1	92 & 93
16 & 17	58 & O.L. 1	96 & 97
21 & 22	60 & 61	100 & 101
25 & 26	64 & 65	
28 & 43	72 & O.L. 2	

The applicant shall show a detail drawing of the 12-foot utility easement dimensions and lot lines on the face of the plat.

27. The developer will need to demonstrate/provide how private streetlights will be installed and maintained in the public alleys. The plat and zoning text shall provide the following note on the face of the plat: "The City will not install lighting in the alleys, but the developer or property owners may request the City to approve a private light(s) in the alley right of way. Such private light(s) to be operated and maintained by private interests."

28. The applicant shall graphically show the "No Access Restriction" on the face of the plat map. The no access restriction shall be noted on the face of the plat as follows: "No access shall be granted along the southerly right of way line of Milwaukee Street."

29. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

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

30. All public water mains and water service laterals within the plat shall be installed by standard City of Madison Subdivision Contract, except the water main on Milwaukee Street may be installed by standard assessment reimbursement agreement.

Please contact Tom Maglio, Parks Division, at 266-4711 if you have questions about the following two items:

31. The developer shall dedicate 3.18 acres at an alternate location per prior adopted agreement. Park dedication for this project equals (121 single- & two-family units at 1100 sq. ft./ unit) and (8 multi-family units at 700 sq. ft./ unit) = 138,700 square feet or 3.18 acres. Based on an adopted dedication agreement, the developer shall provide this dedication at an alternate location (a portion of the Glacial Drumlins State Bike Trail).

32. The developer shall pay \$114,998.05 in park development fees and shall select a payment method for fees prior to plat signoff.

Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following two items:

33. 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.
34. 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.

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

35. That the final location and dimensions of the outlots for pedestrian access shown as Outlots 4 and 6 be approved by the Parks Division, Traffic Engineering Division and City Engineering Division prior to final approval and recording of the final plat.
36. That the PUD-GDP be revised per Planning Division approval prior to recording as follows:
 - a.) that the reference on Page 12 of 25 regarding one duplex and one 4-unit building per lot be omitted;
 - b.) that the conceptual site plan for Lots 1-6 be expanded to provide a conceptual layout for the duplex buildings proposed on Lots 7-9;
 - c.) in the zoning text, that references to lot width and corner lot width be removed;
 - d.) remove the second sentence in the "Off-Street Parking" section of the zoning text so that off-street parking overall is a consideration at the specific implementation plan stage;
 - e.) remove the following sections from the zoning text: Architectural Review Committee, Street Lighting, Sidewalks, Street Trees, Fencing Guidelines and Traffic Measures, as those sections are either extemporaneous, covered under separate documents and/or unenforceable as part of a zoning document.
37. That any references to Outlot 7 be removed from the final plat and zoning document.

The approval of these zoning map amendments and the preliminary plat of Eastlawn will be null and void unless a final plat of all or a portion of the subdivision is recorded within 24 months of the date of Common Council approval of the rezoning and preliminary plat approvals.

Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 regarding any Zoning-related issues related to the recording of the PUD-GDP and final plat.

Please note that the City Real Estate Office is reviewing the report of title provided with this plat and may have comments. That office will send any comments to you by fax. If you have any questions, please contact Jeff Ekola at 267-8719 for more information.

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.

After the planned unit development has been changed as per the above conditions, please file **seven sets** of the revised, complete site plans, building elevations, floor plans and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin

Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their signature of final approval.

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void. No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.

Within thirty-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.12(10)(e), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

Any appeal regarding the plat, including the conditions of approval, must be filed with the Circuit Court within thirty (30) days from the date of this letter. If I may be of any further assistance, do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks
Planner

- cc: Janet Dailey, City Engineering Division
- John Leach, Traffic Engineering Division
- Dennis Cawley, Madison Water Utility
- Tom Maglio, Parks Division
- Scott Strassburg, Madison Fire Dept.
- Pat Anderson, Asst. Zoning Administrator
- Jeff Ekola, Office of Real Estate Services
- Norb Scribner, Dane County Land Records and Regulations

For Official Use Only, Re: Final PUD-GDP Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input type="checkbox"/>	CDBG
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Div. (see final plat)
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: