

**PLANNING DIVISION REPORT  
DEPARTMENT OF PLANNING AND COMMUNITY  
AND ECONOMIC DEVELOPMENT  
Of August 13, 2008**

**RE: ID #11613, Certified Survey Map – 5491 Packers Avenue/CTH CV, Town of Burke**

1. Requested Action: Consideration of a two-lot Certified Survey Map (CSM) of the Dabbs/Taff property located at approximately 5491 Packers Avenue/CTH CV in the northwest quarter of the northeast quarter of Section 19, Township 8 N, Range 10 E, Town of Burke, Dane County, Wisconsin within the City of Madison's Extraterritorial Jurisdiction.
2. Applicable Regulations: Section 16.23, Land Subdivision Regulations, Madison General Ordinances provides the requirements for land divisions located within the corporate limits of the City of Madison or within the Extraterritorial Plat Approval Jurisdiction.
3. Report Prepared By: Timothy M. Parks, Planner.

**GENERAL INFORMATION**

1. Property Owner: William Dabbs, Mansion Realty, Inc.; 422 Dwight Drive; Madison.  
  
Land Surveyor: Al Kaukl, Badger Surveying & Mapping Service; 3602 Atwood Avenue; Madison.
2. Requested Action: Approval of a certified survey map to allow for the division of approximately 12.4 acres of land into two lots for future development.
3. Parcel Location: Generally located just north of Wheeler Road on the northwesterly side of Packers Avenue/CTH CV in the Town of Burke; DeForest School District.
4. Existing Zoning: The northern portion of the site is zoned County R-3A (Residence District); the southern portion of the site adjacent to Packers Avenue/CTH CV is zoned County C-1 (Commercial District).
5. Existing Land Use: Undeveloped land.
6. Proposed Land Use: The two property owners of the 12.4-acre site propose to create two parcels under the existing zoning to divide their interests.
7. Surrounding Land Use and Zoning: The lands to the north and west of the site are developed with a number of single- and two-family residences in County R-3A residential zoning. The land to the south across Packers Avenue/CTH CV is developed with a variety of commercial and light industrial uses in County C-2 commercial zoning. The property to the west of the site is undeveloped land owned by Cherokee Park, Inc.

8. Basis for Referral: Criteria for non-agricultural land division.
9. Environmental Corridor Status: The property is not located within a mapped environmental corridor.
10. Public Utilities & Services:
  - Water: Property is served by the Madison Water Utility (former Burke Utility District).
  - Sewer: Property is served by Madison Metropolitan Sewerage District sewers.
  - Fire protection: Sun Prairie Fire Department
  - Emergency medical services: Blooming Grove-Burke-Maple Bluff EMS
  - Police services: Dane County Sheriff's Department – District N2.
  - School District: DeForest School District

### **ANALYSIS AND EVALUATION**

**Proposed Land Division:** The subject site is comprised of two tax parcels containing about 12.4 acres of land located on the northwesterly side of Packers Avenue/CTH CV just north of Wheeler Road in the Town of Burke. The two parcels are currently undeveloped; with the northern portion of the site zoned County R-3A and the southern portion zoned County C-1. The subject site is characterized by a slight slope from west to east, with a slight depression in the easternmost corner of the site adjacent to the highway. Mature trees cover a significant portion of the site. The northern edge of the site abuts the south side of Dennis Drive, which is developed with a line of single- and two-family homes along its north side. A portion of the eastern edge of the site also abuts the western terminus of Larry Lane, which is also developed with single- and two-family residences in the Town.

The owners of the two parcels are requesting approval of a two-lot Certified Survey Map to re-divide their interest in the property. The Certified Survey Map proposes an approximately 6-acre Lot 1 to comprise the R-3A zoned portion of the site, with the remaining approximately 5 acres, shown as Lot 2, to comprise the C-1-zoned portion of the property. An extension Larry Lane will be dedicated through the subject site to the western property line. The surveyor indicates that the zoning boundary between the County R-3A and C-1 zoning districts follows the extension of Larry Lane through the subject site.

**Approval of CSM by Town of Burke and Dane County:** Section 16.23 (7)(c) of the Subdivision Regulations requires that subdivisions in the City's Extraterritorial Plat Approval Jurisdiction receive approval from the town of record and Dane County prior to consideration of the request by the Plan Commission.

The Town of Burke approved the proposed land division on July 2, 2008. Dane County conditionally approved the proposed land division as outlined in a letter dated November 1, 2006 from Norbert Scribner, Land Division Review, Dane County Department of Planning and Development (updated April 20, 2007).

**City of Madison Land Use Plan:** The property is located within the limits of the Cherokee Special Area Plan, which was primarily developed to guide future development of lands owned by Cherokee Park, Inc. (CPI) located between the Yahara River and Dane County Regional Airport generally north of Wheeler Road. The subject site, while not owned by CPI, was included in the Hornung Range Planning Sub-Area of the overall plan to provide guidelines for how this site should develop in relation to future development of adjacent CPI property north of Wheeler Road.

The Cherokee SAP specifically recommends that the subject site be developed with low-density residential uses up to 8 units an acre north of Larry Lane, which would be extended west through the site to connect with future streets in CPI development in the Hornung Range area. The plan calls primarily for the northern area of the subject site to be developed with single-family residences on a variety of differently sized lots, with the opportunity for duplexes and small multi-family buildings to be developed adjacent to areas identified for low- to medium-density residential development. Such low- to medium-density residential development between 8-15 units an acre is recommended for most of the subject property south of the Larry Lane extension and is generally recommended to include small-lot single-family development, duplexes and multi-family buildings of six units or less per building. The low- to medium-density area is recommended to surround a small neighborhood mixed-use area located along the north side of Packers Avenue and Wheeler Road, which the special area plan encourages be developed with integrated neighborhood-serving retail, office and multi-family uses in 2-4 story buildings.

The special area plan also calls for the creation of a north-south street to generally extend south from existing Dennis Drive to connect to Packers Avenue. The north-south street would generally follow the alignment of an existing Madison Metropolitan Sewerage District main that crosses the subject site and would serve the primarily residential development called for in the plan. An east-west residential street is also included in the generalized land use plan for the Hornung Range sub-area, which is intended to serve future residential development on Lot 1 of the proposed Certified Survey Map.

**Land Division Criteria:** The Subdivision Regulations provide two criteria for consideration of land divisions in the City's extraterritorial plat approval jurisdiction:

*Agricultural Land Division Criteria:* The Plan Commission may grant approval of a land division subdividing portions of agricultural lands provided that the Commission shall determine that the proposed land division will assist and assure the continuation of the agricultural use.

*Non-Agricultural Land Division Criteria:* In the case of nonagricultural lands, the Plan Commission may recommend approval of a subdivision to the Common Council or may grant approval of a land division provided that the Plan Commission shall determine that the proposed subdivision or land division complies with each of the following four criteria:

- a. The proposed subdivision or land division shall be compatible with adjacent land uses and shall maintain the general land use pattern of the area in question.

- b. The proposed subdivision or land division shall result in a development pattern that is compatible with surrounding developments and land uses. Measures of compatibility shall consider lot sizes, traffic generation, access, noise and visual features.
- c. The proposed subdivision or land division and the resulting development shall not demonstrably adversely affect the City's ability to provide public services, install public improvements or accomplish future annexations. The Plan Commission may consider annexation agreements with the property owner in order to comply with this requirement. The Plan Commission may also consider whether the City and Town(s) have reached an agreement on necessary public improvements and public services facilities required to serve the development.
- d. The proposed subdivision or land division shall comply with one of the following:
  - i. The proposed subdivision or land division shall represent infilling of vacant land. Infilling is defined as a subdivision or land division which will accommodate the development of vacant land located such that surrounding existing land uses render the land impractical for any but similar uses.
  - ii. The proposed subdivision or land division shall provide permanent open space lands for use by the general public in conformance with the adopted Parks and Open Space Plan for Dane County, Wisconsin, the City of Madison adopted Parks and Open Space Plan or the City's other adopted Master Plan elements, including the Peripheral Area Development Plan. The permanent open space lands shall be accessible and open for use by the general public. The open space lands shall be exclusive from, and in addition to, lands required for dedication to comply with applicable public parks and open space dedication requirements and shall be provided at a ratio of two acres of permanent open space lands for every one-acre of developed lands, including street rights of way. For the purpose of this provision, wetlands, flood plain lands, steep slopes, or other lands which are not developable because of sensitive environmental features shall not be counted as permanent open space lands in calculating the ratio of permanent open space lands provided versus developed lands. Steep slopes shall include lands which have grades of twenty percent (20%) or more.

The proposed land division does not meet the standard for an agricultural land division and will instead be reviewed as a non-agricultural land division.

The request before the Plan Commission seeks to adjust the common boundary between two existing parcels to follow an established County zoning boundary and no additional parcels of land are proposed. The property owners indicate that no development is being contemplated for either proposed lot at this time, and as such, the Planning Division feels that the non-agricultural land division criteria can be met with revisions to the Certified Survey Map that allow the owners to transfer their property in a way that preserves the City's ability to implement the Cherokee Special Area Plan.

First, staff recommends that the CSM be revised to identify the two proposed lots as outlots. Outlots generally have the connotation of not being fully developable and commonly include parcels dedicated to the public for open space or stormwater management uses or reserved as private land for open space or future development. Staff recommends a note on the face of the survey identifying the two outlots as being reserved for future development, with a second note to state that a subsequent subdivision of each outlot will be required before any proposed development could be approved.

Planning staff also recommends that a 60-foot wide reservation be shown on the face of this CSM to identify the alignment of the north-south street shown in the Cherokee Special Area Plan to extend between Dennis Drive and Packers Avenue/CTH CV, which generally follows the existing MMSD main through the subject site. A note shall be placed on this survey that states that said alignment will be dedicated and constructed at such time that each outlot is further subdivided prior to future development. In addition, a fourth note is recommended that states that the construction of Larry Lane shall coincide with the re-division and development of the first of the two outlots. The City entered into an agreement with the Town of Burke in January 2007, which allows the City to construct public improvements on parcels still in the Town using special assessments. In discussing the future construction of Larry Lane with the City Engineer's Office, it seems likely that special assessments would be used to construct Larry Lane should both proposed outlots not be re-divided and developed concurrently.

Finally, staff recommends that an acknowledgement be placed on this Certified Survey Map that the City will have review authority over the future development of the resulting outlots under the same agreement with the Town. Development in that agreement is generally defined as the construction of more than one principal structure on a lot or the subdivision land. However, due to the availability of City of Madison water and public sanitary sewer, staff would encourage the future developers of these outlots to consider development in the City following attachment.

Staff met with the property owners and their surveyor and discussed the possible approval of this Certified Survey Map creating two outlots and with the notes discussed above and believes that all parties appear are amenable with the approach.

## **CONCLUSION**

The applicant is requesting approval of a certified survey map that re-divides two town parcels for business-planning purposes. The resulting lots will follow an established County zoning boundary and will dedicate the extension of Larry Lane through the subject site as generally recommended in the City's Cherokee Special Area Plan. The recommendation proposed by City staff to identify the two lots proposed as outlots will allow the proposed re-division to meet the non-agricultural land division criteria with the addition of a note that forbids development of either resulting parcel until such time as they have individually been re-divided into developable lots and a north-south street has been dedicated and built as recommended in the special area plan.

## **RECOMMENDATION**

The Planning Division recommends that the Plan Commission **approve** this Certified Survey Map subject to the following conditions:

1. Comments and conditions from reviewing agencies.
2. That Certified Survey Map be revised per Planning Division approval as follows:
  - a.) the two lots proposed shall be shown as outlots, with a note on the survey indicating that the outlots cannot be developed until a subsequent CSM has been approved by the City of Madison converting the outlots into developable lots prior to any development occurring;
  - b.) a 60-foot future right of way shall be shown to extend between Dennis Drive and Packers Avenue/ CTH CV generally along the existing alignment of the Madison Metropolitan Sewerage District main that crosses the site; a note shall be placed on this survey stating that the 60-foot future right of way will be dedicated to the public and constructed at such time that each outlot is further subdivided prior to future development;
  - c.) a note shall be placed on the survey acknowledging that the construction of Larry Lane shall coincide with the re-division and development of the first of the two subject outlots to be developed, and that the construction may be facilitated by special assessments as provided for under the City of Madison-Town of Burke-Village of DeForest-City of Sun Prairie boundary agreement and cooperative plan;
  - d.) a note shall be placed on the survey acknowledging that future development of the two outlots may be subject to prior approval by the City of Madison under the above-mentioned intergovernmental agreement and cooperative plan.



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. Dalley, P.E.  
Christina M. Bachmann, P.E.  
John S. Fahrney, P.E.  
Gregory T. Fries, P.E.

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

**Operations Manager**  
Kathleen M. Cryan

**Hydrogeologist**  
Joseph L. DeMorett, P.G.

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

**Financial Officer**  
Steven B. Danner-Rivers

DATE: August 7, 2008

TO: Plan Commission

FROM: Larry D. Nelson, P.E., City Engineer

SUBJECT: 5491 CTH CV Certified Survey Map

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. It is suggested that the CSM contain an enlarged scale detail drawing of the Packers Avenue right-of-way jog adjacent to Lot 2 for clarification.
2. Create a 15 feet wide public water main easement for the portion of water main not contained within proposed dedicated Larry Lane right-of-way.
3. City of Madison neighborhood plans indicate a north-south public street connection between Dennis Drive and Packers Ave approximately along the MMSD sewer easement alignment. Applicant shall dedicate a 60-foot public right-of-way from Dennis Drive to CTH CV over the existing 30-foot MMSD sewer easement.
4. Lots 1 and 2 shall be designated as Outlot 1 and Outlot 2 and shall require future subdivision approvals prior to development.
5. The applicant shall provide 15-foot grading easement along the north and south side of Larry Lane.
6. Prior to approval, applicant shall be required to extend public sanitary sewer within the proposed right-of-way. The applicant shall enter into an agreement with the City for the installation of this public infrastructure.



## 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: 5491 CTH CV Certified Survey Map

#### 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 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 this development. The Developer shall indicate the method of payment as provided below:
- 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 receive the invoices to pay the outstanding impact fees at the time of permit issuance. 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](mailto: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:

**LOTS / BUILDINGS WITHIN THIS SUBDIVISION / DEVELOPMENT ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.**

#### Right of Way / Easements

- 2.1 The Applicant shall Dedicate a     ~~feet wide~~ strip of Right of Way along CTH CV 60-feet from centerline.
- 2.2 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping 10-feet wide along CTH CV.
- 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 \_\_\_\_\_  
\_\_\_\_\_
- 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 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,

- b. operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
- c. 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.)
- d. 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.
- e. 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.
- f. 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 [Roadway Name] \_\_\_\_\_ 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 [zenchenko@cityofmadison.com](mailto:zenchenko@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.

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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 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 dedicate 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](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:

- a. Right-of-Way lines (public and private)
- b. Lot lines
- c. Lot numbers
- d. Lot/Plat dimensions
- e. Street names
- f. 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](mailto:epederson@cityofmadison.com)



## 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

August 11, 2008

TO: Plan Commission

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

SUBJECT: **5491 CTH "CV" Packers Avenue - Town of Burke Sec. 19 - Certified Survey (Lot Division)**

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 CSM shall be revised to dedicate land along Packers Ave at Wheeler Rd for intersection reconstruction. As planned for with the Cherokee Special Area Plan, there is the potential for a roundabout intersection treatment or traffic signals at this intersection. The final right of way shall be reviewed and approved by the Traffic Engineer.

### 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. The applicant shall revise the access restriction for C.S.M. and shall be noted on the face as follows:
  - a. No Access shall be granted starting at the southwesterly corner of lot 2 along the northerly right-of-way line of CTH "CV" 250 ft easterly.

- b. The applicant shall graphically show the "No Access Restriction" on the face of the C.S.M. map. Addition note on the face of the CSM is "The present driveway access will be permitted until a time of future development of Lot 2."

Please contact John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: Al Kaykl  
Fax: 244-6272  
Email: badgersurvey@globaldiglog.com

DCD:DJM:dm



**CITY OF MADISON  
MADISON WATER UTILITY  
119 E. Olin Avenue  
266-4651**

**MEMORANDUM**

**Date:** August 7, 2008

**To:** The Plan Commission  
**From:** Dennis M. Cawley, Engineer IV - Water Utility  
**Subject:** LOT DIVISION – Dabs CSM, 5491 CTH CV

The Madison Water Utility has reviewed this lot division and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS**

A minimum 20-foot wide public water main easement shall be dedicated over the existing water main on Lot 1 of the proposed CSM.

**GENERAL OR STANDARD REVIEW COMMENTS**

All operating private wells shall be identified and permitted by the Water Utility in accordance with Madison General Ordinance 13.21

All unused private wells shall be abandoned in accordance with Madison General Ordinance 13.21.

This property is not in a Wellhead Protection District.

The Water Utility will not need to sign off the final plans, but will need a copy of the approved plans.

Dennis M. Cawley