



Department of Planning & Community & Economic Development
Planning Division

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October 21, 2009

Mark Bugher
University Research Park
510 Charmany Drive
Madison, Wisconsin 53719

Dave Jenkins
JSD Professional Services
161 Horizon Drive, Suite 101
Verona, Wisconsin 53593

RE: Approval of a request to rezone approximately 273.9 acres generally located at 8501 Mineral Point Road from Temp. A (Agriculture District) to A, RDC (Research and Development Center District) and PUD-GDP (Planned Unit Development, General Development Plan) with a master plan to guide future development; approval of a demolition permit to allow a single-family residence at 902 CTH M to be razed, and; approval of a preliminary plat and a final plat creating 31 lots for proposed business park and mixed-use neighborhood center and 7 outlots for public parkland, private stormwater management and open space, and future development.

Gentlemen;

At its October 20, 2009 meeting, the Common Council **conditionally approved** your zoning map amendment, preliminary plat and final plat of the "University Research Park II-Pioneer" 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-two (22) items:

1. For the demolition of 902 CTH M, the applicant shall abandon or remove the septic system in accordance with Madison-Dane County Public Health's specification. The applicant shall provide verification/evidence that the septic system abandonment is complete with letter from Public Health.
2. Coordinate right-of-way at Outlots 1 & 4 with Pleasant View Road project, City Project 53W0390.
3. Coordinate right-of-way at Street D with Pleasant View Road project, City Project 53W0390.
4. Show grading easements for Valley View Road, Pleasant View Road, Mineral Point Road and CTH M and coordinate with City Engineering.
5. The University of Wisconsin and the City of Madison are working cooperatively on a project to construct Pleasant View Road through the Plat. This project includes roundabouts at the intersection of CTH M, Valley View Road and proposed Pleasant View Road and a roundabout at Mineral Point Road and Pleasant View Road. Two pedestrian/ bike underpasses, one under CTH M south of Valley View Road and one under Pleasant View Rd south of Valley View Road is being proposed. The City is also working on a project to construct a grade separated intersection at Mineral Point Road and Junction Road.

The City intends to assess the cost to construct Pleasant View Road less Federal aids to the abutting properties. The City intends to assess a portion of the cost to construct both roundabouts to the benefiting properties as well as future traffic signals at the Watts Road and Pleasant View Road intersections. The City also intends to assess a portion of CTH M and a portion of Mineral Point Road to the abutting properties fronting on the projects. The City intends to assess 50% of the cost of the two pedestrian/ bike underpasses to the Plat either as an assessment or a direct charge. In addition, it is anticipated that a portion of the cost to construct the Mineral Point Road and Junction Road intersection will be assessed to the benefiting properties using trip generation methodology.

The University of Wisconsin is dedicating lands in the Plat for these improvements and is dedicating required lands north of Mineral Point Road and outside of the Plat as required to facilitate the above improvements.

Reference to the assessments shall be included in the Development Agreement.

6. The developer and the City shall construct a north-south pedestrian/ bike path that will tie into a larger path network being planned by the City generally following CTH M from the Mineral Point Road and Junction Road intersection south toward the City of Verona. In addition, the City is proposing a pedestrian/ bike path heading west from the above path north of Valley View Road. These shall be public bike paths. Numerous other paths are proposed by the UW and shall be constructed and maintained by the UW Research Park. Additional easements may be required consistent with previous discussions with the University to facilitate these pathways as required by the City Engineer.
7. The developer may be responsible for a portion of the cost to relocate compensable utility infrastructure as required to facilitate the required improvements as determined by the City Engineer after consultation with the developer and the developer shall dedicate additional utility easements for the relocation of private utilities if required by the City Engineer after consultation with the developer.
8. The area dedicated at the northeast corner of CTH M and Pleasant View Road for stormwater shall be revised to match the latest design available from City Engineering.
9. Many of the areas proposed for private and public improvements shall require a maintenance agreement from the owner.
10. Subject to Storm and/or Sanitary Sewer Impact Fees for Upper Badger Mill Creek and Valley View. Other sewer charges will be due for frontage along Mineral Point Road.
11. The southern portion of the plat will be subject to the Valley View Impact Fee District.
12. Coordinate proposed new street names with Engineering Mapping for the Watts Road and Pleasant View Road couplets.
13. The desirable final plat recording date is on or before December 1, 2009 to maintain the funding and letting schedule for the street improvement work.
14. 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.
15. The developer shall construct Madison standard street improvements for all streets within the plat.
16. An erosion control plan and land disturbing activity permit shall be submitted to the City Engineering Division for review and approval prior to grading or any other construction activities. The Pre-construction 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.

17. 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 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.

18. 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."

19. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2, 10 & 100-year storm events; control 80% TSS (5 micron particle); provide substantial thermal control, and; provide infiltration in accordance with NR-151. Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

20. 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.

21. 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 subdivision 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).
22. 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 (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering signoff.

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 six items:

23. 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 Common Council.
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 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: Running along the southerly property line of Outlot 7, there shall be a 12-foot front utility easement running along Watts Road from CTH M westerly to Pleasant View Road. 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 final plat 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. 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 two items:

29. All public water mains and water service laterals, except for those proposed to be installed as part of the Pleasant View Road project, shall be installed by standard City of Madison Subdivision Contract. The Water Utility will not need to sign off on the final plans, but will need a copy of the approved plans.
30. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.

Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following three items:

31. Provide a reuse/recycling plan, to be reviewed and approved by the City's Recycling Coordinator, George Dreckmann, prior to a demolition permit for 902 CTH M being issued. Sec 28.12(12)(e) of the Madison Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
32. Future development shall meet applicable building and zoning ordinances following applicable processes.
33. The Plan Commission does not grant signage approvals. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. The Zoning Section of the Department of Planning and Community and Economic Development must issue sign permits prior to sign installation.

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

34. Fire access shall be provided on each lot if code compliance access cannot be accomplished by use of public streets only.

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

35. That the applicant work with Planning Division staff prior to recording of the PUD-GDP and final plat for the development to revise the general development plan as follows:
 - a.) revise the PUD legal description to only describe the approximately 12.9 acres to be zoned PUD-GDP;
 - b.) provide an additional graphic depicting only the PUD-GDP-zoned area and revise the map on page 7 of the general development plan to highlight the boundaries of the PUD zoning district;
 - c.) for clarity, please revise the map on page 5 to note the project site shown is the entire University Research Park II site, not just the PUD and revise the map on page 4 to note the highlighted area is the portion of the development to be zoned PUD-GDP;
 - d.) clarify the proposed future use of the triangular parcels created by the one-way couplets (Lots 6 and 11) and revise the conceptual master plan for the development accordingly.
36. That the applicant work with staff from the Planning Division and City Engineering Division prior to recording of the final plat to develop detailed plans for the construction of the private path network located throughout the development, including details on the proposed width of the paths and the materials that will be used. The applicant shall also work with staff on easement/ plat language to address the future maintenance and right of use of the non-City paths throughout the development.
37. That prior to issuance of any permits to construct a new building on the development site, the developer shall submit a restrictive covenant for approval by the Plan Commission following review by the Planning Division that includes specific details on the architectural review committee that will be responsible for reviewing projects on all RDC-zoned lots. The restrictive covenant shall include any proposed land use restrictions, details about the specific design criteria that will govern the RDC-zoned lots, and reference to general conformance with the approved conceptual/ master plan and Transportation Demand Management Plan (including the annual reporting requirements for all non-residential parcels).
38. That the applicant revisit the master plan to identify opportunities to increase the density of development on the 26 lots to be zoned RDC through the possible reorientation of buildings and the potential use of shared and/ or structured parking. The revised conceptual master plan should be presented for Plan Commission review concurrent with the Commission's required approval of the restrictive covenants for the RDC-zoned lots.

39. That prior to final approval of the zoning map amendment and approval of the restrictive covenants for the plat, the applicant receive final approval of the Transportation Demand Management Plan from the Planning Division Director and City Traffic Engineer.
40. That the applicant work with the Planning Division and Capital Area Regional Planning Commission to revise the environmental corridor map to reflect the proposed boundaries of Outlots 1 and 6 prior to recording the final plat.
41. That a tree preservation and management plan for the overall development be approved by the Planning Division Director prior to commencement of any grading activities on the site.
42. A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to the issuance of a wrecking permit for the single-family residence at 902 CTH M.

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.

No interior, exterior or structural demolition or wrecking activities or remodeling activities (including material reclamation activities by the applicant or a third party) shall commence nor any wrecking or building permits be issued until the applicant has met all of the conditions of approval stated in this letter.

After the general development plan been changed as per the above conditions, please file **seven sets** of the revised PUD-GDP with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The final revised PUD-GDP will be circulated by Zoning staff to the City department staff listed below for their signature of final approval.

The Madison Water Utility shall be notified to remove the water meter prior to the demolition of 902 CTH M.

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.

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 PUD 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 related thereto, must be filed with the Circuit Court within thirty (30) days from the date of this letter. If I may be of any further assistance, 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
Scott Strassburg, Madison Fire Department
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 Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coord. (R&R only)
<input type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: