



**Project Address:** 310-402 Cottage Grove Road, 904 Dempsey Road  
**Application Type:** Revised Preliminary and Final Plat  
**Legistar File ID #** 32131  
**Prepared By:** Heather Stouder, AICP, Planning Division  
Report Includes Comments from other City Agencies, as noted

## Summary

**Applicant:** Ruedebusch Development, LLC; 4605 Dovetail Dr.; Madison, WI  
**Contact:** Dave Nelson; Ruedebusch Development, LLC; 4605 Dovetail Dr.; Madison, WI  
Noa Prie; Williamson Surveying and Associates, LLC; 104 A W. Main St., Waunakee, WI 53597  
**Property Owners:** Ruedebusch Development, LLC; 4605 Dovetail Dr.; Madison, WI  
Agrium US; 4582 S Ulster St., Ste. 1700; Denver, CO 82037  
MG&E; P.O. Box 1231, Madison, WI 53701-1231

**Requested Action:** The applicant requests approval of a revision to a preliminary and final Royster Corners plat to subdivide the 32.9-acre property for the creation of 60 lots totaling 22.8 acres, 3 outlots for stormwater management and greenspace totaling 4.4 acres, and the dedication of public streets within.

The requested plat revision is associated with a previously approved Zoning Map Amendment to rezone the property from the A (Agriculture) District to the following: 6 lots in the southern and eastern portion of the site totaling 11.7 acres to the TE (Traditional Employment) District; 3 lots in the central and southern portion of the site totaling 4.5 acres to the TR-U2 (Traditional Residential – Urban 2) District; 51 lots and 3 outlots in the northwestern portion of the site totaling 11 acres to the TR-C3 (Traditional Residential – Consistent 3) District. The remainder of the property would be dedicated to the public for streets.

**Proposal Summary:** The applicant proposes a revision to the approved subdivision of the property which would remove a street connection. The proposed revision is concurrent with three development proposals also before the Plan Commission.

**Applicable Regulations & Standards:** This proposal is subject to the standards for Subdivisions [Section 16.23(3)].

**Review Required By:** Plan Commission (PC), Common Council

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the standards for Subdivisions can be met and forward the revised preliminary and final plat of Royster Corners to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the conditions recommended by the reviewing agencies:

## Background Information

**Parcel Location:** The 32.9-acre subject property is located on the northwest corner of Cottage Grove Road and Dempsey Road. The site is within Aldermanic District 15 (Ahrens), and within the limits of the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The property has two small buildings on the southwestern portion of the property, 2,400 square foot building and an 800 square foot accessory building owned by MG&E and utilized as an electric substation. Just east of this is a set of wooden utility poles utilized by MG&E for training purposes.

**Surrounding Land Use and Zoning:**

North: Across the railroad tracks, single-family homes in the TR-C2 (Traditional Residential – Consistent 2) District

East: Across Dempsey Road, a fast food restaurant, commercial, and light industrial uses in the IL (Industrial Light) District

South: Across Cottage Grove Road, small multi-family buildings in the SR-V1 (Suburban Residential – Varied 1) and commercial uses on small lots in the CC-T (Commercial Corridor-Transitional) District

West: Across Royster Avenue, single-family homes in the TR-C1 ((Traditional Residential – Consistent 1) District and TR-C2 (Traditional Residential – Consistent 2) District

**Adopted Land Use Plan:** The Comprehensive Plan (2006) has been amended to recommend Low Density Residential, Employment, and Neighborhood Mixed-Use for this property, consistent with the Royster-Clark Special Area Plan (2009).

**Zoning Summary:** The property is zoned TR-C3, TR-U2, and TE. Please see related development proposals (Legislative ID [32434](#), [32435](#), and [32436](#))

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

**Public Utilities and Services:** This periphery of the property is served by a full range of urban services, including Metro Transit routes running along Cottage Grove Road and Dempsey Road. The proposed plat includes streets, utilities, and stormwater infrastructure to serve the future development.

## Previous Approvals

On May 21, 2013, the Common Council approved the Royster Corners preliminary and final plat, along with the rezoning of the site from Agriculture to TR-C3, TR-U2, and TE.

The demolition of the former fertilizer plant on the property was approved by the Plan Commission on October 3, 2011. Demolition and site remediation has since taken place, consistent with the conditions of approval set forth by the City, the WI Department of Natural Resources, and the WI Department of Agriculture, Trade, and Consumer Protection.

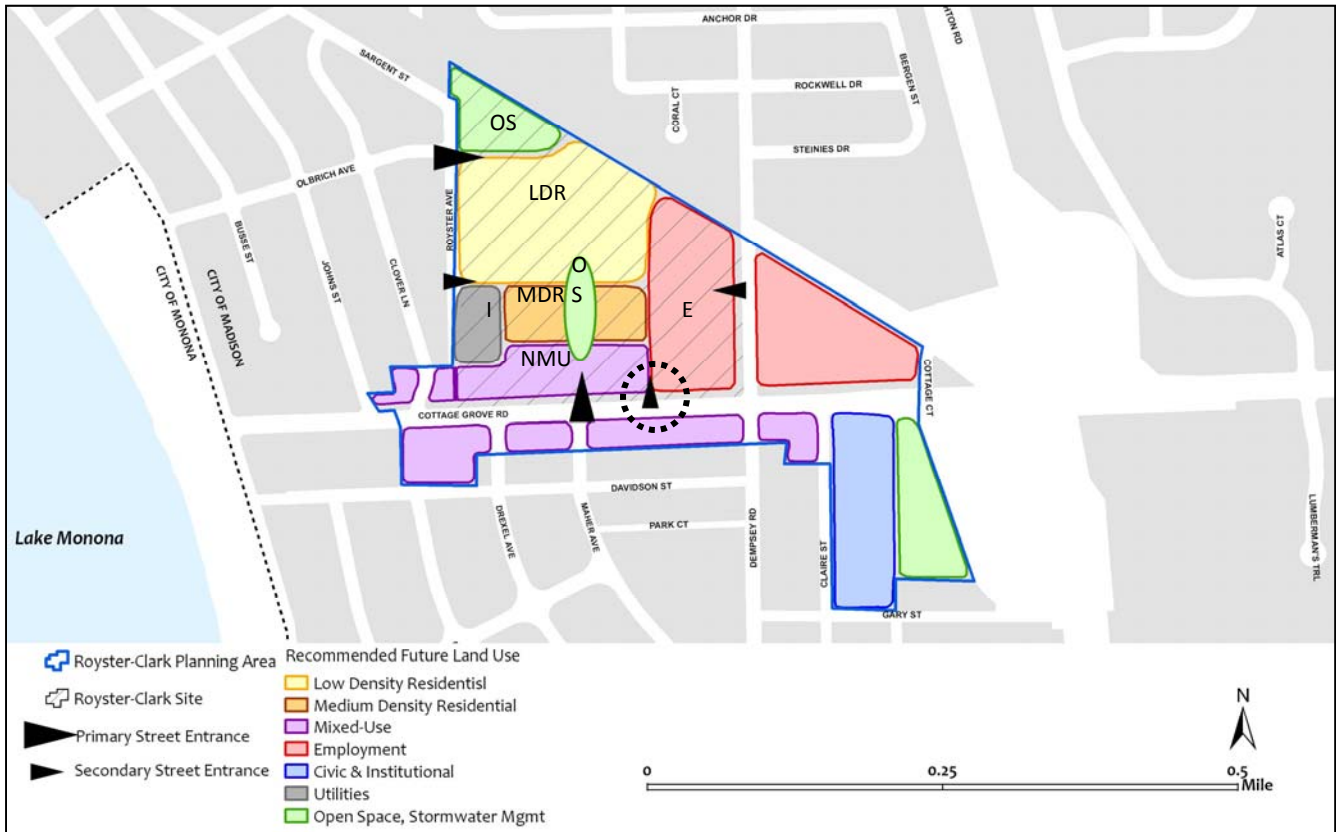
## Description of Plat Revision

The proposed revision to the preliminary and final plat involves the removal of a short north/south street which would have connected Cottage Grove Road with the proposed Pinney Street, on the eastern portion of the site. The revision also includes the creation of a 14,323 square foot lot at the southwest corner of Pinney Street and Dempsey Road, in the TE (Traditional Employment) District. The creation of this lot (Lot 1) led to the renumbering of all of the lots on the plat.

Finally, the revised plat includes proposed street names that have been deemed acceptable by City Engineering staff, based on street-naming policy. The main entrance to the site from Cottage Grove Road will be called “Royster Oaks Drive”, until it bends to the west to become “Olbrich Avenue”. The main east/west street through the site entering from Dempsey Road will be called “Pinney Street”. Finally, “Silas Street” will connect between Olbrich Avenue and “Pinney Street” in the northwest portion of the site.

## Analysis and Conclusion

The proposed revisions are consistent with the [Royster-Clark Special Area Plan](#)<sup>1</sup>, adopted in October 2009, which recommended the street that is proposed for removal as a secondary or optional street entrance (see area within dashed circle below).



**Figure 1: Royster-Clark Special Area Plan – Recommended Future Land Use**

While the Plan Commission is concurrently reviewing three development proposals just west of this area, there is no development proposal directly associated with the portion of the plat surrounding the street proposed for removal. However, the applicant has noted that the street as formerly proposed would have significantly constrained the layout of building spaces for potential tenants or future owners of Lots 2 and 3.

Staff carefully considered the proposal to eliminate this street, which would have been located mid-block between Royster Oaks Drive and Dempsey Road, separating the mixed-use and employment portions of the site. Without a street, the length of the resulting block between Royster Oaks Drive and Dempsey Road is approximately 600 feet, which is the length of a typical urban block. If this stretch were significantly longer, it would be difficult to move forward without a street connection here. However, staff believes that so long as a north-south pedestrian connection is maintained somewhere between Royster Oaks Drive and Dempsey Road through this area to provide more direct access to the commercial, employment, and residential uses and to any future development oriented to Pinney Street, the north-south street proposed for removal is not needed. Staff

<sup>1</sup> The adopted plan can be found at this link: [http://www.cityofmadison.com/planning/pdf/RCFinal%20Plan\\_020210.pdf](http://www.cityofmadison.com/planning/pdf/RCFinal%20Plan_020210.pdf)

notes that the applicant has already provided a pedestrian connection to meet this need within the development proposals currently before the Plan Commission (see graphic below).

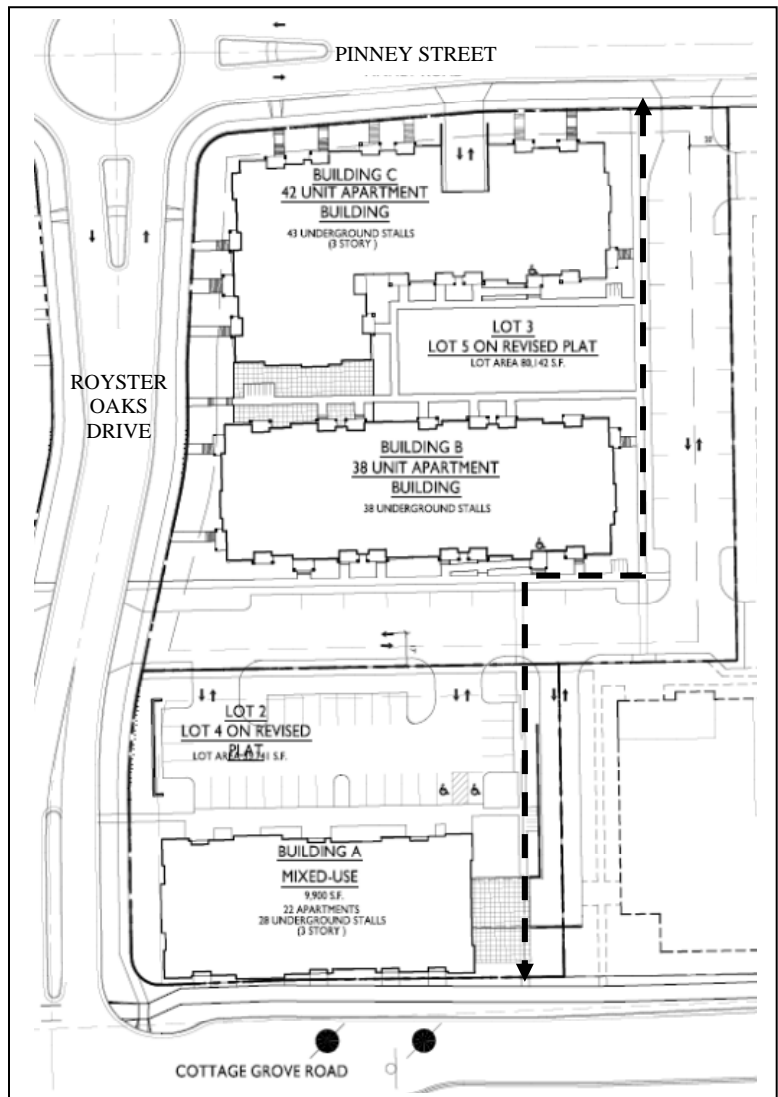
The proposed revision also involves slight reconfigurations of new Lots 4 and 5, such that Lot 4 becomes slightly smaller and Lot 5 becomes slightly larger. Resulting Lot 4 is now a 0.82-acre parcel. The Royster Clark Special Area Plan notes that lots along Cottage Grove Road should not be created at less than one acre in size, unless the proposed development is consistent with the Plan recommendations. In this particular case, staff believes that the proposed development on Lot 4 is consistent with the Plan, and is comfortable with the creation of the 0.82-acre Lot.

### Subdivision Requirements

Staff believes that the proposed Preliminary and Final Plat of Royster Clark are consistent with the requirements for Subdivisions in MGO Section 16.23(3). Staff believes that the remediation activities and continued oversight by State agencies for the property ensure that the use of the property as proposed will not endanger the safety and welfare of future landowners and residents. The size and shape of all created lots and outlots are consistent with underlying zoning requirements in the proposed districts. Further, the Plat will support the efficient and relatively compact mixed-use redevelopment of this 33-acre property in an area already served by utilities, multi-modal transportation facilities, and public safety infrastructure.

### Conclusion

The proposed revised preliminary and final Royster Corners plat is generally consistent with the Royster-Clark Special Area Plan, which was adopted in October 2009 after a lengthy public process with broad support from neighbors, area businesses, and other participants. Subject to the conditions from reviewing agencies, Planning Division staff support the subdivision request, and look forward to continuing work with the applicant and adjacent neighborhoods on subsequent development reviews.



## Recommendation

Major/Non-Standard Conditions are Shaded

### **Planning Division Recommendation** (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the standards for Subdivisions can be met and forward the revised preliminary and final plat to the Common Council meeting of January 7, 2014, with a recommendation of **approval**, subject to input at the public hearing and the conditions recommended by the reviewing agencies:

### **Recommended Conditions of Approval**

#### **Planning Division** (Contact Heather Stouder, 266-5974)

1. Lot 5 and Lot 6, zoned Traditional Residential-Urban 2 (TR-U2) District, shall adhere to the maximum density allowable in the Traditional Residential-Urban 1 (TR-U1) District.

Note: This condition is consistent with the condition made by the Plan Commission on May 6, 2013. Lot numbers have been adjusted based on the proposed plat revision.

#### **City Engineering Division** (Contact Janet Dailey, 261-9688)

**Note: Former Condition 8 has been removed, and Conditions 3, 22, and 23 were revised on December 16, 2013 as detailed below.**

2. Olbrich Ave shall continue into the plat along Lots 50-53. Pinney St is approved for a street name. Royster Oaks Dr is approved. Silas St is approved. (Terra St & Royster Crossing were not acceptable street names).
3. Depending on the final site designs, the drive from Royster Oaks Dr through lots 2, 3 & 5 to Dempsey Rd shall be a private street easement. Provide for a note on the plat that makes reference to the private street easement requirement for the effected lots at the time of the final approval of those lots. At the time of the lot development, submit names for approval to Lori Zenchenko ([lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com)). The easement shall be shown and dimensioned on the final site plans plat and labeled Common Driveway Easement or Private Common Ingress / Egress Easement. ~~The plat shall have a note with the private drive name and cite that it is for the benefit of Lot 2, Lot 3, Lot 4 and Lot 5 of this plat.~~ The easement will be required to be further defined in a subsequent document after the plat recording regarding allowed uses, installation, maintenance and replacement and any other requirements and recorded at the Dane County Register of Deeds. The final recorded easement document will be required for the site plan approval on any of Lots encumbered by the driveway.
4. Applicant shall provide confirmation that the Public Utility Easements defined by the plat are adequate for the Utility Companies to serve the lots within the plat.
5. The note for the 30' Buffer Strip along the railroad should be revised to: "30' Wide Buffer Strip. See Notes 10 and 11".
6. Add the standard easement conditions for the Public Sanitary Sewer and Public Storm Sewer Easements to the notes section of the plat as provided within these comments. Each easement labeled on the map shall refer to the appropriate note containing the conditions for the easement.

7. Modify the note for the Electric Line Easement per Document No. 401580 along the railroad adding "Easement Assigned to WP&L per Document No. 584928. Easement Width not specified within the documents." Also add dimensioning for the easement to properly locate the easement on the plat.
- ~~8. Note 14 under Notes should be removed. The easement has expired as provided for in paragraph 2. of the document. The training facility does not exist.~~
8. Note 16 under Notes should have language added that the agreement has been Amended by Document No. 5035176. The final title work should include this document.
9. Note 21 under Notes should be revised to "Per MGO 16.23(9)(d)2.a. Modify the note to change all references to the 6ft wide drainage easements to 5ft wide drainage easements.
10. Note 22 (b) under Notes should be removed. The Certified Survey contains the note but there are not any Highway Setback Lines shown on the original Certified Survey Map. Also, this plat does not abut a Federal or State Trunk Highway, so it is not applicable.
11. Some easement notes contain notes referring to Item No.'s, that most likely came from a Title Commitment. The Item Number references should be removed from the plat in these instances.
12. Provide additional easement dimensioning for Doc No.'s 1083041, 1862464 and 3913199 so that they can be mapped accurately.
13. Show the bearing and distance to the monument and show the monument found for the meander corner for the West ¼ of Section 9 – 7 – 10.
14. The ownership in the title report shall be updated. Agrium U.S. Inc. conveyed Lot 2 of CSM No. 13176 to RDC Development, LLC per Doc No 5007185. Also there is an exchange of lands between Madison Gas and Electric and RDC Development per Doc. No's 5023443 and 5023444. Lastly, title work did not contain information for the Substation area within the plat. This all shall be added to the updated title work.
15. A minimum of a 15 foot wide Public Storm Sewer Easement is required centered on the existing storm sewer pipe along Lots 8-16, 50 and Outlot 1 (being along the east right of way of Royster Avenue). Add the easement as required and fully dimension on the plat.
16. Remove Note 22c from the plat. Madison Metropolitan Sewerage District Fees (MMSD Fees) are due prior to sign off and recording of the final plat.
17. The Developer shall sign a waiver of hearing and notice for street and cul de sac improvements on Royster Avenue adjacent to Lots 8-16. The City will reconstruct Royster Avenue as part of a future public works construction contract separate from the construction of the Royster Corners Plat.
18. The City shall construct sidewalk along the Royster Avenue frontage as part of the public works construction contract.
19. The Developer shall record the 'Environmental Notice' and cite the register of deeds recording number on the face of the CSM.
20. Modify the plat to show all monitoring wells both within the proposed public right of way and on private property.
21. The Applicant shall verify with the WDNR that the dedicated public Outlot can be used for stormwater management.
22. ~~The City Applicant shall construct curb and gutter, sidewalk and street improvements on the east side of Royster Avenue Sargent Street abutting the plat from the west line of Outlot 1 (existing street) from the north plat line to Olbrich Avenue. If it is determined that a portion of the street improvements can be~~

completed by the future Royster Avenue reconstruction contract, the Applicant shall sign a waiver of hearing and notice for assessments for the street construction adjacent to Outlot 1 and Lot 48. The City shall construct sidewalk along Royster Avenue with the Plat improvements.

23. The Applicant shall ~~dedicate~~ coordinate dedication of additional right of way on Cottage Grove Road adjacent to Lot 8, as required by the City Engineer and City Traffic Engineer.
24. The Applicant shall work with City Engineering staff and the owner of Lot 8 to provide additional right of way to shift the Royster Avenue cul-de-sac to the south approximately 30ft to better accommodate the existing driveway and residence on the west side of Royster Avenue.
25. The Applicant shall comply with all conditions from the May 24, 2013 Planning Approval letter for the original submittal. *(Note: These are included below, among other comments).*
26. The location of monitoring wells must be overlain onto the approved plat map and provided to the City. Monitoring wells may only remain in the public right of way subject to City of Madison approval and will require a privilege in streets agreement.
27. Zones of residual soil contamination and groundwater plumes above the NR 140 ES must be overlain onto the approved plat map and provided to the City.
28. The City is still investigating how residual groundwater contamination will impact potential dewatering of site buildings. Dewatering may be required to go to the sanitary sewer.
29. Contaminated soil encountered during site construction must be handled and disposed of in compliance with all WDNR regulations.
30. Per MGO, the following note shall be placed on the face of the plat:  

"Subsoil information indicates that the basement of structures on all the lots within this plat are to be at elevation 851 or higher or that a structural plan of the structure's foundation shall be submitted to the Director of the Building Inspection Division for approval with the application for a building permit as required information."

The elevation of the basement, as described in the paragraph to be placed on the plat, shall be a minimum of two (2) feet higher than the elevation of the ground water table.
31. The proposed sanitary sewer is shown as being connected to the City's existing 21-inch diameter sewer and the plan calls for the connection at the invert of the manhole. Connection of proposed sewer will need to be raised 21 inches (1.75ft). This revision will likely have impacts on the proposed utility improvements.
32. The Applicant shall enter into a maintenance agreement for the maintenance of the roundabout landscaping and median landscaping.
33. Define the use of Outlot 1 and 3 on the face of the plat. Define if these lots are intended to be private or public ownership. *(Note: This has been addressed on the revised plat).*
34. The cul-de-sac on Royster Ave shall terminate in a circular turnaround having a minimum right-of-way diameter of one hundred (100) feet and minimum outside curb diameter of seventy-two (72) feet in residential areas. The reverse curve on a cul-de-sac shall have a fifty (50) foot minimum radius when the bulb is centered on the street and a one hundred (100) foot minimum radius when the bulb is offset.
35. The Developer shall continue to coordinate the right of way needs for Cottage Grove Road and the interior A Street with City Engineering, Traffic Engineering and Planning. The Developer shall revise and dedicate the right of way on Cottage Grove Road as required by the City Engineer.

36. The driveway location on Lot ~~57~~ 59 may be difficult due to the proximity of the proposed roundabout. It is suggested that the lot layout be modified to provide more room from the splitter islands to allow for a reasonable drive apron. *(Note: Lot number adjusted due to numbering changes in the revised plat).*
37. Depending on the timing of the construction the City may construct the public improvements for the plat in 2013 or 2014. This work would be constructed as an assessable project with all costs associated with the construction, permitting, engineering and other activities related to the public improvements being assessed 100% back to the Developer. Construction of the proposed improvements on Cottage Grove Road would likely be constructed and assessed under a separate construction contract and would be assessed in accordance with the City's Assessment Policy.
38. If the City constructs the public improvements for this development the Developer shall provide for temporary limited easement over all lots within the plat. The temporary easements shall expire upon completion of the construction of the streets and infrastructure improvements and the completion of the warranty period for said improvements.
39. The Developer shall be responsible for the installation and the construction coordination of the private utilities, including but not limited to gas, telephone, and electric and/or fiber optic. The Developer's Contractor shall coordinate and work cooperatively with the City's contractor during the construction of the private utility, grading and public works infrastructure construction.
40. The Developer shall hire a consultant to design the proposed public stormwater management / drainage facility within the plat. The Developer shall provide the design for review and approval prior to the City signing off on the plat. The City shall construct and assess the public stormwater management / drainage facility with the assessable project.
41. The Developer shall be responsible to obtain all applicable permits for crossing the rail line with public improvements. Alternatively, if the City obtains permits, the Developer shall be required to pay for all City expenses for time and costs associated with obtaining the permits.
42. The Developer shall pay all MMSD charges prior to the City signing off on the plat.
43. The Developer shall execute a waiver of hearing and notice for the proposed infrastructure improvements on Cottage Grove Road and the streets interior to the plat prior to the sign off of the plat.
44. 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 (MGO 16.23(9)c).
45. 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, as per MGO 16.23(3)(a)(2)(c) :
- 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.
46. The Public Storm Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Subdivision Plat is/are subject to the following conditions, as per MGO 16.23(3)(a)(2)(c):
- 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.
  - e) 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.
47. 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 (MGO 16.23(9)(d)(2) and 16.23(7)(a)(13)).
48. The Developer shall construct Madison Standard street and sidewalk improvements for all streets within the plat (MGO 16.23(9)(d)6).
49. All proposed street names shall be approved by the City Engineer. Applicant shall contact Lori Zenchenko (608-266-5952) with street name requests (MGO 16.23(8)(a)12).
50. 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 MGO Section 37.07 and 37.08 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.
51. The following notes shall be included on the final plat (MGO 16.23(8)(9)(b)2):
- 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 Surveyors: 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.

Note for Engineering Staff: Verify zoning setbacks and drainage easements are not in conflict.

- 52. 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 (MGO 16.23(9)(D)).

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. NOTE: It is required that this plan shall be stamped by and Registered Land Surveyor.

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.

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

- 53. The lots within this plat 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 (POLICY).
- 54. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to:
  - a) Reduce TSS off of the proposed development by 80% when compared with the existing site.
  - b) Provide oil & grease control from the first 1/2" of runoff from parking areas.

- c) Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website, as required by MGO Ch. 37.
- d) Detain the 2 and 10-year storm events
- e) Reduce TSS off of the proposed development by 80% when compared with the existing site.

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

55. Effective January 1, 2010 The Department of Commerce's authority to permit commercial sites for stormwater and erosion control has been transferred to the Department of Natural Resources. As this site is greater than one (1) acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> The City of Madison cannot issue an erosion control and stormwater management permit until concurrence is obtained from the WDNR (NOTIFICATION).
56. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat 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) (POLICY).
57. The Developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat (MGO 16.23(9)(d)).
58. 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 (MGO 16.23(9)(d)(4)).
59. 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.
60. 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 (POLICY).

- 61. 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.
- 62. Prior to Engineering final sign-off by main office for Plats, final Plat 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 PLAT in PDF form is preferred. Transmit to [epederson@cityofmadison.com](mailto:epederson@cityofmadison.com) (Policy).

**Traffic Engineering Division** (Contact Eric Halvorson, 266-6572)

63. The Applicant shall dedicate additional right of way on Cottage Grove Road adjacent to Lot 8, as required by the City Engineer and City Traffic Engineer.

- 64. Utility easements shall be provided as follows between lots.

|       |          |
|-------|----------|
| 8-9   | 37-38    |
| 12-13 | 48-49    |
| 16-17 | 53-O.L.2 |
| 19-20 | 55-56    |
| 23-24 | 58-59    |

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

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

- 66. Proposed lots shall be subject to the General Provisions for Residential Districts, Section 28.031 as well as usable open space, Section 28.140 of the Madison General Ordinances.

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

- 67. Provide the following information to the buyer of each individual one- or two-family lot: Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: <http://www.homefiresprinkler.org/Consumer/ConsHome.html>

68. The Madison Fire Department does not object to this proposal provided the project complies with all applicable codes and ordinances.

**Parks Division** (Contact Kay Rutledge, 266-4714)

69. The developer shall pay \$188,085.96 (2013 rate – total fee will increase if paid in 2014) for park dedication and development fees for the new 51 SF units shown in the plat (see below). The fees for the MF units identified for lots 4, 5, and 6, and any others, will be assessed when the multi-family residential development is proposed and approved. The park dedication requirement for a multi-family unit equals 700 square feet per dwelling unit. The fee in lieu of parkland dedication for multi-family units is \$1,708.00 per unit in 2013. The park development fee for a multi-family unit in 2013 is \$645.40 per dwelling unit. Park impact fees are adjusted on January 1 of each calendar year, and the park impact fees due at the time of building permit issuance may be higher than the amounts stated above to reflect these annual adjustments.

|   |
|---|
| Fees in lieu of dedication = (51 SF @ \$2,684.00)= \$136,884.00   |
| <u>Park development fees = (51 SF @ \$1,003.96) = \$51,201.96</u> |
| Total fees = \$188,085.96   |

The developer must select a method for payment of park fees before signoff on this approval. The following note shall be included on 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.”

This development is within the Olbrich park impact fee district (SI25). Please reference ID# 13123 when contacting Parks Division staff about this project.

70. 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.

**Water Utility** (Contact Dennis Cawley, 261-9243)

71. 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. This property is not in a Wellhead Protection Zone.

**Real Estate** (Contact Jenny Frese, 267-8719)

72. City Real Estate staff may have additional comments for the applicant following review of the complete title report for the property.

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

This agency did not submit a response to this request.