



# Report to the Plan Commission

April 3, 2009

Legistar I.D. #14250  
4901 Eastpark Boulevard  
Revised Preliminary and Final Plat

Report Prepared By:  
Heather Stouder, AICP  
Planning Division Staff

**Requested Action:** Approval of a revised preliminary and final plat to allow for the creation of two outlots and one lot for future development with an office building in the O-4 (Administrative Office and Research and Development) District

**Applicable Regulations & Standards:** The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Ordinance.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the subdivision standards can be met and forward the revised preliminary plat and final plat request to the April 21, 2009 meeting of the Common Council with a recommendation of **approval** subject to input at the public hearing and conditions from reviewing agencies.

## Background Information

**Applicant/Property Owner:** American Family Mutual Insurance, 6000 American Pkwy, Madison, 53783  
**Agent/Contact:** John Favorite, Ayres Associates, 1802 Pankratz St., Madison, 53704

**Proposal:** The applicant proposes to subdivide an 11.1-acre portion of an existing parcel into one Lot for an office building, one outlot dedicated to the City for stormwater management, and a second outlot as part of a perimeter corridor around "The American Center".

**Parcel Location:** 4901 Eastpark Boulevard is a 45.4-acre parcel generally located on the west side of Eastpark Boulevard between North Biltmore Land and Terrace Court, just east of Interstate 90-94; Aldermanic District 17 (Clausius); The southern portion, which is the focus of this application, is in the Sun Prairie School District.

**Existing Conditions:** The site is currently undeveloped and zoned O-4 (Administrative Office and Research and Development District).

**Surrounding Land Use and Zoning:** The site is surrounded by undeveloped lands to the north and east in the American Center Plat, office uses to the south, and undeveloped agricultural land to the west across I-90/94.

**Adopted Land Use Plan:** The Comprehensive Plan identifies this area for Employment Uses, where recommended land uses include but are not limited to commercial, residential, and mixed-use buildings. The Rattman Neighborhood Plan, adopted in January 1992, recommends Office Uses for this area.

**Environmental Corridor Status:** The portion of the property subject to the final plat is not located within a mapped environmental corridor.

**Public Utilities and Services:** This property is served by a range of urban services, including all basic utilities and Metro Transit Route 25, which provides peak hour weekday service for area employees from the Capitol Square.

## Zoning Summary:

Lot Requirements	Required	Proposed
Lot Area	3 acres	7.0, 3.245 and 0.890 acres
Lot width	300'	329.81' and 456.97'
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>		

## Project Description

---

This is the 15<sup>th</sup> final plat within the boundaries of “The American Center” located north of US Highway 151 and I-90/94. Encompassing a total of 11.1 acres, this plat proposes the creation of one lot for the development of an office building and two outlots in the O4 (Administrative Office and Research and Development) District between Eastpark Boulevard and I-90/94.

As proposed, Lot 39 is a seven-acre lot with frontage on Eastpark Boulevard to be utilized for the development of an office building, with construction planned for summer 2009. The plat shows an existing 40-foot wide easement running from Eastpark Boulevard to the western boundary of the lot, as well as a portion of an existing stormwater detention/retention easement covering the southerly 40 feet of the lot. Linking Eastpark Boulevard with the western boundary of Lot 39, the proposal establishes a 10-foot wide bike and pedestrian easement. The lot also includes a 15-foot wide utility easement adjacent to Eastpark Boulevard.

Outlot 12 consists of 3.2 acres in the southern portion of the plat, to be dedicated to the City for stormwater management. The outlot is currently comprised almost entirely of an existing detention pond, small portions of which extend into Lot 29 to the south and Lot 39 as proposed to the north.

Outlot 13 is a narrow strip of land just under one-acre on the western boundary of the final plat that is part of a 100' perimeter corridor established in the preliminary plat. Outlot 13, which runs parallel and adjacent to I-90/94, includes easements for utilities and electric lines.

## Evaluation and Conclusion

---

The revised preliminary plat and final plat as proposed are consistent with the Comprehensive Plan and the Rattman Neighborhood Plan, which respectively recommend Employment and Office uses for the site. Per comments from City Engineering, the only recommended reconfiguration of the plat involves the extension of Outlot 12 to include the entire stormwater detention pond and a 30-foot area surrounding it. This reconfiguration will result in a slightly smaller Lot 39, but should not affect the developability of the parcel.

Planning Division staff recommend that the Plan Commission find that the subdivision standards can be met with this proposal.

## Recommendation and Proposed Conditions of Approval

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 subdivision standards can be met and forward the revised preliminary and final plat to the April 21, 2009 meeting of the Common Council with a recommendation of **approval** subject to input at the public hearing and the following conditions:

The following conditions have been submitted by reviewing agencies:

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

1. The proposed boundary of proposed Outlot 12 does not fully encompass the existing stormwater pond. Revise the property lines to be consistent with a 30-foot set back line from the pond's highest designed water elevation mark.
2. Proposed Outlot 12 must have a storm water retention easement conveyed/dedicated to the public across, over and through the entire resultant parcel boundary.

3. The Owner/Developer shall convey public sanitary and storm sewer easements for existing off-plat public facilities constructed with prior development phases. The Office of Real Estate Services Project Nos. 9132 (sanitary) and 9133 (storm) have been established to administer these easements. Original easement conveyance documents will be prepared by a city real estate agent and sent to the owner for signature. Final documents shall be signed and sent back to the Office of Real Estate Services for recording with the Dane County Register of Deeds prior to final conditional approval and sign off of this subdivision plat.

4. 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 (608) 275-3201 to discuss this requirement. This permit application is available on line at: <http://dnr.wi.gov/runoff/stormwater/constrforms.htm>
5. 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).
6. 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.
7. 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.

8. The Applicant shall submit to Eric Pederson (608-266-4056, [epederson@cityofmadison.com](mailto:epederson@cityofmadison.com)) , prior to Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the final plat to the Mapping/GIS Section of the Engineering Division. The digital copies shall be submitted in both NAD27 and WIDOT County Coordinate System, Dane County Zone datum 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 and floodplain boundaries), water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for cable TV, gas, electric and fiberoptics).

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

**Traffic Engineering Division** (Contact John Leach, 267-8755)

9. The Developer shall put the following note on the face of the plat: "ALL THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE ISSUANCE OF BUILDING PERMITS."  
NOTE: The final sign-off may be delayed until the transportation impact fees are negotiated or approved by the Council.
10. The applicant shall execute and return the 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.
11. The applicant shall contact the Department of Planning and Development to comply with M.G.O. Sec. 16.23(3)(d)--Highway Noise Land Use Provisions policies and ordinances.
12. The applicant shall show a detail drawing of the 12 ft. utility easement dimensions and lot lines on the face of the plat.
13. There will be access restrictions for The American Center Plat Eastpark First Addition plat for development of this final plat and shall be noted on the face of the plat as follows:
  - a. No access shall be granted along the northerly right-of-way line of I-90/94
  - b. The applicant shall graphically show the "No Vehicular Access" restriction on the face of the plat.
14. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

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

15. This property is not in a wellhead protection zone.
16. 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.

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

This agency submitted a response with no conditions of approval for this request.

**Fire Department** (Contact Scott Strassburg, 261-9843)

This agency did not submit a response for this request.

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

This agency did not submit a response for this request.