



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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February 7, 2022

Wade Wyse
Wyser Engineering, Inc.
312 E Main Street
Mount Horeb, Wisconsin 53572

RE: Approval of the preliminary plat of *University Research Park–Pioneer 1st Addition Replat* at 602-1202 and 601-1103 Boyer Street and 8825 Nelson Crossing to replat Boyer Street and 14 lots for future employment and four outlots for private stormwater management and open space into 9 lots for future employment and re-create 3 outlots for private open space and 2 outlots for stormwater management. [ID 68204; LNDSP-2021-00007]

Dear Wade;

At its February 1, 2022 meeting, the Common Council **approved** the preliminary plat of *University Research Park–Pioneer 1st Addition Replat* subject to the conditions of approval in the following sections, which shall be addressed prior to final approval and recording of a final plat of the subdivision.

Please contact Tim Troester of the City Engineering Division at (608) 267-1995 if you have questions regarding the following twenty-five (25) items:

1. A Phase 1 environmental site assessment (per ASTM E1527-13), is required for lands dedicated to the City. Provide one (1) digital copy and staff review will determine if a Phase 2 ESA is also required. Submit report(s) to Brynn Bemis ((608) 267-1986, bbemis@cityofmadison.com).
2. Enter into a City / Developer agreement for the required infrastructure improvements. The agreement shall be executed prior to sign-off. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.
3. Construct Madison standard street, multi-use path, and sidewalk improvements for all streets within the plat.
4. Make improvements to Valley View Road in order to facilitate ingress and egress to the development as required by City Traffic Engineer.
5. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
6. This development is subject to impact fees for the Valley View Road Sewer and Drainage Improvement Impact Fee District. All impact fees are due and payable at the time building permits are issued (MGO

Chapter 20). Add the following note on the face of the plat: “Lots / buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued.”

7. This development is subject to impact fees for the Upper Badger Mill Creek Storm and Sanitary Impact Fee District. All impact fees are due and payable at the time building permits are issued (MGO Chapter 20). Add the following note on the face of the plat: “Lots / buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued.”
8. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder ((608) 261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering Division sign-off.
9. An Erosion Control Permit is required for this project.
10. A Storm Water Management Report and Storm Water Management Permit is required for this project.
11. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.
12. Submit a soil boring report that has been prepared by a Professional Engineer two weeks prior to recording the final plat to the City Engineering Division indicating the ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than nine (9) feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
13. Confirm that adequate sight distance exists where streets intersect per AASHTO design standards for intersection sight distance. If adequate sight distance does not exist, change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make mitigating improvements as required by the City. Note that the improvements indicated may require right of way outside of the plat limits.
14. The applicant shall construct a multi-use path from the southeast corner of the plat to Valley View Road. This will include converting a portion of existing sidewalk on S Pleasant View Road.
15. The applicant shall construct a multi-use path from Boyer Street to Greenside Park, and from Boyer Street to Outlot 11 and from S Pleasant View Road to Outlot 11. Note: City Engineering is open to adjusting the existing easements for these facilities depending on building and lot layout and grading/tree protection issues.

16. Include calculations in the stormwater management report that show how a 500-year storm event, as part of the plat design and stormwater management plan. The flows from this design storm event will be routed through the development and used to determine an anticipated safe top of concrete foundation elevation for future buildings in critical areas.
17. Submit proposed lot corner grades with the stormwater management plan as these two items must be reviewed together to properly determine stormwater overflow conditions. Prior to the issuance of building permits, submit a master stormwater drainage plan with final as-built lot corner grades. These grades may be modified from the originally proposed grades provided they continue to meet design tolerances. No building permits shall be issued prior to final City Engineering approval of this plan.
18. Install a property boundary witness markers along the boundary of lands dedicated for public stormwater purposes at property corners or in locations that are mutually agreeable to the applicant and City Engineering Division.
19. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL zone and therefore will be regulated to meet a higher standard.
20. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
21. Demonstrate compliance with MGO Section 37.07 and 37.08 regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
22. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by MGO Chapter 37.
23. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website. The Storm Water Management Plan and Report shall include compliance with the following:

Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))

Detain the 2-, 10-, 100-, and 200-year storm events, matching post-development rates to pre-development rates and using the design storms identified in MGO Chapter 37.

Provide infiltration of 90% of the pre-development infiltration volume.

Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

Provide substantial thermal control to reduce runoff temperature in cold water community or trout stream watersheds.

24. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the City Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
25. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the City Engineering Division. E-mail PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at (608) 266-4097 if you have any questions regarding the following eight (8) items:

26. The release of any portion(s) of public easements located within the boundary of this preliminary plat, shall be released by separate document prepared by City Office of Real Estate Services prior to final plat recording. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, (608) 266-4097) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat.
27. The developer shall petition for the street discontinuance and vacation of Boyer Street. Provide a petition that includes legal description and map of the portions of Boyer Street right of way proposed as vacated as depicted on preliminary plat, after consulting with Engineering Mapping and other relevant City staff.
28. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final plat.
29. Confirm all public infrastructure, including but not limited to, public multi-use paths, utility easements, etc. are all located within existing permanent easements or rights of ways. Coordinate with all appropriate City agencies the need to release any existing, or create any new, public easements for any given public use located within the boundary of this preliminary plat.
30. 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 monument condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com). 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 and shall be attached to a signed and sealed monument condition report. The applicant shall identify monument types on all PLS corners included on the plat.

31. Existing note #11 needs clarification prior to inclusion on final plat. Collaborate with City staff to clarify intent of said note on the preliminary plat. Need clarification of intent along with better depiction of locations of any public easement dedication for stormwater, recreational or other public purposes across all privately owned outlots
32. Existing preliminary plat note #4 shall be removed, or modified to the satisfaction of Engineering Mapping and Real Estate, for inclusion on the final plat.
33. Revise the road name South Pleasant View Road to read S. Pleasant View Road.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following two (2) items:

34. The applicant shall work with Traffic Engineering and City Engineering staff to determine the cross-section of Boyer Street.
35. The applicant shall work with Traffic Engineering and City Engineering staff to determine multi-use path locations.

Please contact Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have any questions regarding the following two (2) items:

36. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat per MGO 16.23(9)(d)(3).
37. All public water mains and water service laterals shall be installed by a standard City subdivision contract / City- Developer agreement. Applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.

Please contact Bradley Hofmann of the Forestry Section at (608) 267-4908 if you have any questions regarding the following item:

38. As defined by MGO Section 10.10, City Forestry will assess the full cost of the street tree installation to the adjacent property owner. City Forestry will determine street tree planting sites and tree species type. Street tree planting will be scheduled after there is substantial completion of the new plat development along the street segment.

Please contact Andy Miller of the Office of Real Estate Services at (608) 261-9983 if you have any questions regarding the following ten (10) items:

39. Prior to approval sign-off, the Owner's Certificate(s) on the final plat shall be executed by all parties having an interest in the property, pursuant to Wis. Stats. 236.21(2)(a). Certificates shall be prepared with the ownership interests consistent with the most recent title report. Signatories shall provide

documentation that proves legal authority to sign the Owner’s Certificate. When possible, the executed original hard stock recordable plat shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the plat containing electronic signatures shall be provided to ORES to obtain approval sign-off.

40. Prior to plat approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner’s Certificate(s). If a mortgage or other financial instrument is reported in record title, but has been satisfied or no longer encumbers the lands or ownership within the plat boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to plat approval sign-off.
41. A Consent of Lessee certificate shall be included on the plat for any tenancy in excess of one year, recorded or unrecorded, and executed by said tenant prior to agency plat approval sign-off.
42. All consents and certifications for any holder of interests in the subject lands shall conform with Wis. Stats. 236.21(2) and 236.29, i.e., to include the language “...surveyed, divided, mapped and dedicated...”
43. If any portion of the lands within the plat boundary are subject to an Option to Purchase or other Option interest please include a Certificate of Consent for the option holder and executed prior to approval sign-off.
44. Include all necessary approval certificates (treasurers, Plan Commission, Common Council, etc.) on the final plat.
45. Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to recording of a final plat. This includes property tax bills for the prior year that are distributed at the beginning of the year.
46. As of December 3, 2021, there are special assessments reported for a portion of the parcels within the plat boundary. Pursuant to MGO Section 16.23(5)(e)1 and Wis. Stats. 236.21(3), all special assessments levied prior to final plat signoff shall be paid in full.
47. A title report was not received by ORES with the plat application, though a Commitment for Title Insurance dated October 1, 2021 was received. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Andy Miller in the ORES (acmiller@cityofmadison.com), as well as the survey firm preparing the proposed plat. The report shall search the period subsequent to the date of the initial Commitment for Title Insurance submitted with the plat application and include all associated documents listed in the title report. A title commitment may be provided, but will be considered only as supplementary information to the title report. Surveyor shall update the plat with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the plat.

48. The following shall be addressed with the final plat of this subdivision:

- a) Depict, dimension, name, note and/or identify by document number all relevant easements, declarations, plans, conditions, agreements, and other documents cited in record title and the updated title report, and include relevant notes from plats or CSMs of record.
- b) For properties not connected to municipal utility services, consider whether or not well abandonment ref. NR-141 needs to be addressed.
- c) Create and record, or show as being dedicated in the proposed plat, easements for utility and drainage rights of way when the utility or drainage physically exists, but no document for it exists in record title.
- d) Record satisfactions or releases for all recorded instruments that encumber or benefit the subject lands, if all interested parties agree that the purpose for such instrument is no longer necessary or relevant for the purposes of the land division.
- e) Provide proof of satisfaction or release for all liens and/or judgments of record prior to plat approval sign-off.
- f) Initiate requests to all applicable utilities to record releases of their interests in utility easements in underlying plats or CSMs, if this proposed plat is a re-division of existing plats or CSMs with utility easements that will no longer be applicable; and, prior to requesting sign-off, place a note in the proposed plat citing the recording data for the City's recorded release of same.
- g) Create notes that define the purpose of and the ownership of (whether public or private) all outlots. The note for an outlot dedicated to the public shall say: "Dedicated to the public for _____ purposes."

Please contact my office at 261-9632 if you have questions about the following seven (7) items:

49. That the tree preservation and management plan for the subdivision approved with the *University Research Park–Pioneer 1st Addition* be revised to reflect the proposed replat per Planning Division approval prior to commencement of any grading activities on the site. The tree preservation and management plan shall include a general inventory of the trees located across the site and shall identify opportunities for mature tree cover to be preserved within and adjacent to the proposed easement areas during the implementation and build-out of the development. Disturbance within these easements should be limited, and the final location of subdivision utilities may be varied to allow areas of mature tree cover to be avoided. Where necessary to augment the existing tree cover in these easements, a buffer landscaping plan shall be approved by the Planning Division, including the creation of a full landscaped buffer along S Pleasant View Road.
50. The final plat shall show a 100-foot deep tree preservation and landscaping buffer easement and building setback line along the western edge of Lots 46-49 and a minimum 75-foot deep landscaping buffer and building setback line along the eastern edges of Lots 51-54.
51. 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 non-City paths throughout the development.

52. That prior to final approval of the plat for recording, the developer receive final approval of an updated Employment Campus district master plan for the development from the Director of the Planning Division, including final approval of the landscape design and street graphics standards and parking plan for the development per the requirements of the Employment Campus district.
53. That the final plat show a vehicular access restriction for Lots 51-54 along the western right of way line of S Pleasant View Road. The restriction shall be shown graphically on the face of the plat, with a note to be included acknowledging that no vehicular access shall be granted.
54. That the applicant pursue a zoning map amendment concurrent with the final plat that ensures that all of proposed Lots 49 and 50 are zoned EC. The applicant should consider a related request to zone all of Outlots 11 and 12 to CN to better reflect the passive conservation uses of those parcels and to avoid any split-zoned parcels.
55. That the applicant work with the Planning Division and Capital Area Regional Planning Commission to revise the environmental corridor map to reflect the changes proposed by the replat prior to final approval and recording of the final plat of *University Research Park–Pioneer 1st Addition Replat*.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

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, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M Parks

Timothy M. Parks
Planner

cc: Paul Muench, University of Wisconsin Board of Regents (by e-mail)
Tim Troester, City Engineering Division
John Sapp, City Engineering Division
Jeff Quamme, City Engineering Division – Mapping Section
Sean Malloy, Traffic Engineering Division
Jenny Kirchgatter, Assistant Zoning Administrator
Bradley Hofmann, Forestry Section
Jeff Belshaw, Madison Water Utility
Andy Miller, Office of Real Estate Services