Department of Planning & Community & Economic Development
Planning Division
Heather Stouder, Director

Madison Municipal Building, Suite 017
215 Martin Luther King Jr. Boulevard
Madison, Wisconsin 53703
Phone: (608) 266-4635
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November 29, 2023

Katie Halverson
Ramaker & Associates
855 Community Drive
Sauk City, Wisconsin 53583

RE: Approval of a request to rezone 5803 Lien Road from Temporary A (Agricultural District) to TR-P (Traditional Residential–Planned District); and approving the preliminary plat of *East Meadow Estates*, creating 18 single-family lots, 11 lots for future multi-family development, and 6 outlots to be dedicated for public stormwater management, parkland, and conservancy. [ID 80331 and 79968; LNDSPP-2022-00008]

Dear Katie;

At its November 21, 2023 meeting, the Common Council **approved** the rezoning and preliminary plat of *East Meadow Estates* 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 Brenda Stanley of the City Engineering Division at (608) 261-9127 if you have questions regarding the following twenty-two (22) 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. Outlot 3 is shown as public stormwater management. However, the applicant is notified that this outlot will not be accepted by the Stormwater Utility as public.

3. The developer shall enter into a City/Developer agreement for the required infrastructure improvements. The agreement shall be executed prior to sign-off of the final plat. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule thedevelopment and approval of the plans and the agreement.

4. Construct Madison standard street, multi-use path, and sidewalk improvements for all streets within the plat.

5. Construct sidewalk/path, terrace, curb and gutter, and up to 14 feet of pavement along Felland Road and Lien Road to a plan approved by City Engineer.

6. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.

7. This development is subject to impact fees for the Felland Road Neighborhood Sanitary Sewer Improvement Impact Fee District. All impact fees are due and payable at the time building permits are issued. 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 (261-9250) toobtain 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. A Storm Water Maintenance Agreement (SWMA) is required for this project.

12. 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.

13. 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.

14. 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. Caution: The improvements indicated may require right of way outside of the plat limits.

15. Provide calculations for the 100-year storm event, as identified in MGO Chapter 37, as part of the plat design and stormwater management plan. The flows from this design storm event will be routed through the development and the flood extents shall be limited to the public right of way.

16. Provide calculations for the 500-year storm event, as identified in MGO Chapter 37, 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 City Engineering's final approval of this plan.

18. 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-inch 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.

19. 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 periodwith the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.

20. 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.

21. 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 & 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-, 5-, 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.

    By design detain the 10-year post construction design storm such that the peak discharge during this event is reduced 15% compared to the peak discharge from the 10-year design storm in the existing condition of the site. Further, the volumetric discharge leaving the post development site in the 10-year storm event shall be reduced by 5% compared to the volumetric discharge from the site in an

existing condition during the 10-year storm event. These required rate and volume reductions shall be completed, using green infrastructure that captures at least the first half-inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first half-inch of rainfall, either green or non-green infrastructure may be used.

If the plat or subdivision has an enclosed area with provides existing storage, the existing storage will need to be accounted for in addition to meeting the requirements for detention.

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.

Reduce TSS by 40% (control the 20-micron particle) off of new paved surfaces as compared to no controls.

Reduce TSS by 80% off of the proposed development when compared with the existing site.

Treat the first half-inch of runoff over the proposed parking facility and/or drive up window.

Provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event.

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

The applicant shall demonstrate that water can leave the site and reach the public right of way without impacting structures during a 100-year event storm. This analysis shall include reviewing overflow elevations and unintended storage occurring on site when the storm system has reached capacity.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

22. 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 twelve (12) items:

23. There may be off site channel and/or storm sewer improvements necessary to adequately convey storm water downstream to the west toward the existing 54-inch pipe with this development. The developer shall acquire the right of way and/or easements as required by the City at the developer's expense. In the event that the developer is unable to acquire any required right of way and/or easements, the City can proceed to acquire the easements as a last resort. The developer shall reimburse the City for all costs associated with the acquisition, including attorney's fees and any and all costs associated with court ordered awards. The developer shall provide a deposit at the time of contract execution to cover the estimated City staff expenses and easement cost for the acquisition. The developer shall note that separate, additional surety in an amount estimated to cover any

potential court ordered awards shall be retained by the City until such time as appeal rights have expired. The additional surety shall be provided prior to the City making an offer for the easement.

24. Outlot 3 will not be accepted as a public outlot for stormwater management as it only handles private storm water. When the lots are developed, provide necessary easements / agreements for the lots served by the outlot prior to the future final site plan approval for the development of the affected lots. Agreements shall include terms for the use, construction, maintenance and replacement of the private stormwater improvements.

25. The preliminary plat shall include all of the existing conditions on the same map labeled as the 'Preliminary Plat' as required by MGO Section 16.23(5)(a). The map shall be comprehensive, including all of the required items per the MGO Section 16.23(5)(a). Vertical datum shall be referenced to the NAVD 1988 (1991 adjustment). Provide accurate and recoverable site benchmarks. Provide the location of the nearest public storm sewer pipe that this development will drain to. Provide all pipe sizes and inverts of all public storm and sanitary sewer.

26. The area necessary for dedication along Lien Road and Felland Road shall be confirmed by City Engineering and Traffic Engineering staff prior to final plat sign-off.

27. All required right of way widths shall be confirmed by the City of Madison Traffic Engineer, shown on the preliminary plat, and approved as part of the final plat.

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. As required by Ordinance, provide private Easements or private Outlots to accommodate the current USPS required centralized delivery of mail using Cluster Box Units (CBUs). Coordinate the locations of the CBUs with the USPS Development Coordinator, City Engineering and City Traffic Engineering Staff and in accordance with the Policies for Cluster Box Units as adopted by the City of Madison Board of Public Works. CBUs serving this land division will not be permitted within any publicly owned or dedicated lands.

    If the Developer is not able to determine the final locations of the CBUs prior to recording the final plat, the final placement of CBUs for each phase of development within this land division shall be determined prior to construction. The locations for each phase shall as required by Ordinance, in accordance with the Policies for Cluster Box Units as adopted by the City of Madison Board of Public Works and in compliance with United States Postal Service requirements.

    The required CBU documents shall be recorded prior to the start of construction of the public improvements serving any Lot or Outlot. In the instance of land divisions that do not require the construction of public improvements or a contract with the developer, the required approved CBU documents shall be recorded simultaneously with the final approved land division. Construct the CBUs in accordance with the specifications approved by the Board of Public Works.

30. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the plat in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. Visit the Dane County Surveyor's Office for current tie sheets and control data that has been provided by the City of Madison.

31. Conditions of approval noted herein are not intended to be construed as a review determining full compliance with City of Madison Ordinances and State of Wisconsin Statutes. The licensed professional preparing the land division is fully responsible for full compliance with all Ordinances and Statutes regulating this proposed land division.

32. The street names of Fern Meadow Drive and Sweet Clover Street are approved for use. Wildflower Lane and Lavender Lane are duplicate street names and are not approved for use. Submit replacement names to Lori Zenchenko (LZenchenko@cityofmadison.com) for review and approval.

33. Label the total widths of all right of ways. Also, ordinance does not allow for the public alley serving Lots 4-6 and 9-11 to be dedicated as an outlot. It shall be dedicated to the public and labeled as a "Public Alley Right of Way".

34. Lots and outlots must be corrected and consecutively numbered within each block.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following three (3) items:

35. Prior to final sign-off, the applicant shall work with the Traffic Engineering Division's Electrical Section to record the necessary easements for streetlights. Typically, Traffic Engineering requires a 12-foot easement between lots and 6-foot easements on corner lots where streetlights are needed.

36. Public rights of way shall be designed in accordance with current Complete Green Streets Guide.

37. The applicant shall add a note to the Plat stating no driveway shall be constructed that interferes with the orderly operation of the pedestrian walkway. This will require all pedestrian ramps to be constructed separate from driveway entrances; a curb-head of no less than six inches in width shall be constructed between all pedestrian ramps and driveway entrances. This is especially important at 'T' intersections where lot and building layout become critical; to prevent interference with the pedestrian ramp, lots intersecting or adjacent 'T' intersection may require a shared driveway and access.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at (608) 266-4429 if you have any questions regarding the following three (3) items:

38. Work with Planning and Zoning staff to approve the text for the TR-P Master Plan.

39. Submit a phasing plan for the implementation of the master planned development.

40. Submit a detailed letter of intent for the project that outlines the specific goals and objectives for the master planned development.

Please contact Bill Sullivan of the Madison Fire Department at (608) 261-9658 if you have any questions regarding the following two (2) items:

41. The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D. An upgrade to include a fire sprinkler system shall be offered along with a cost estimate for all initial single- or two-family home sales.

42. All portions of the fire lanes for newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500 feet of at least **two** fire hydrants. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO Section 34.507 for additional information.

Please contact Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have any questions regarding the following three (3) items:

43. Note that records indicate deferred water main assessments exist against this parcel. Improvements, which substantially change the use of the property, may require any outstanding deferred assessments to be paid in full prior to proceeding with the proposed improvements (MGO Section 4.081(4)). Please contact Danah Enright of the City of Madison Finance Department to review the status of the deferred water main assessment associated with this property - (608) 266-4008 or denright@cityofmadison.com.

44. 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).

45. 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 Kathleen Kane of the Parks Division at (608) 261-9671 if you have any questions regarding the following five (5) items:

46. Outlot 5 is described on the plat as “dedicated to the public for park purposes” and is +/- 0.63 acres (27,645 square feet). Depending on final unit counts and as proposed, Outlot 5 is insufficient in size to fully meet the parkland dedication requirements and is well below the minimum size that the Parks Division seeks for dedication parcels (typically 5 acres or more). Park land dedication fees (“fee in lieu”) will be due for the proposed development.

47. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the East Park-Infrastructure Impact Fee district. Please reference ID# 23037 when contacting Parks Division staff about this project.

48. The plat, as currently proposed, includes 18 lots single family lots, 11 lots for future mixed-use development; four outlots for public stormwater management; and one outlot described as dedicated to the public for park purposes. The parkland dedication requirement for a single family / duplex unit is 1,081 square feet and for a multi-family unit is 734 square feet per MGO Sec. 16.23(8)(f) and 20.08(2).

49. Prior to sign off on the final plat, the applicant shall execute a declaration of conditions and covenants along with an impact fee schedule for the park impact fees for this development. This document will be recorded at the Register of Deeds. The applicant shall be responsible for all recording fees.

50. The following note should be included on the final plat: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued." The Parks Division shall be required to sign-off on this subdivision.

Please contact Jeffrey Heinecke of the Forestry Section at (608) 266-4890 if you have any questions regarding the following item:

51. 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 Trent W. Schultz of the Parking Division at (608) 246-5806 if you have any questions regarding the following item:

52. The agency reviewed this project and determined a Transportation Demand Management (TDM) Plan is not required at this time. As development progresses in the subdivision, residential uses with 10 or more dwelling units and other applicable uses in MGO Section 16.03 will be subject to TDM Plan review.

Please contact Jenny Frese of the Office of Real Estate Services at (608) 267-8719 if you have any questions regarding the following five (5) items:

53. 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. The executed original hard stock recordable plat shall be presented at the time of sign-off.

54. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to plat approval sign-off. If mortgages of record are paid off prior to plat approval, a copy of the recorded satisfaction for said mortgage shall be provided prior to sign-off.

55. 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 plat recording. This includes property tax bills for the prior year that are distributed at the beginning of the year.

56. Pursuant to MGO Section 16.23(5)(e)1 and Wis. Stats. 236.21(3), all special assessments levied prior to plat signoff shall be paid in full.

57. Pursuant to MGO Section 16.23(5)(g)(4), provide to the Office of Real Estate Services and the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report and the date when sign-off of the final plat is requested. A title commitment may be provided, but will only be considered as supplementary information to the title report update. The surveyor shall update the plat with the most recent information available in the title report update.

Please contact my office at (608) 261-9632 if you have questions about the following six (6) items:

58. The preliminary plat shall revised to include all of the information required by MGO Section 16.23(5)(a). Submit a revised and comprehensive preliminary plat of the proposed subdivision with the first final plat.

59. That a revised TR-P master plan be submitted for approval by the Plan Commission with the final plat of the subdivision that addresses the orientation of buildings in relation to all streets, a phasing plan, and building design standards for the proposed development that include the massing and composition of structures, orientation of windows and entries, doors and other elements of the facade, and primary facade materials. The TR-P master plan shall include all of the information required by Section 28.053 of the Zoning Code and apply to all of the lots and outlots shown on the East Meadow Estates subdivision.

60. The master plan graphics shall be revised to indicate that the entire site is zoned TR-P consistent with the legal description submitted with this zoning map amendment.

61. The TR-P master plan shall be revised to show a maximum height of three stories for Lot 3 consistent with the height recommendations for the Residential Housing Mix (HM) 3 category in the Northeast Neighborhoods Development Plan.

62. Note: The developer may opt to standardize the width of all of the streets in the subdivision to 64 feet consistent with the neighborhood street type in the Complete Green Streets Guide at the time the final plat is submitted for approval.

63. That the applicant work with the Planning Division and Capital Area Regional Planning Commission to revise the environmental corridor map to reflect the changes to the mapped corridor proposed by the development prior to final approval and recording of the final plat.

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 (608) 261-9632 or tparks@cityofmadison.com.

Sincerely,

Timothy M Parks

Timothy M. Parks
Planner

cc: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division – Mapping Section
Sean Malloy, Traffic Engineering Division
Jenny Kirchgatter, Assistant Zoning Administrator
Bill Sullivan, Madison Fire Department
Kathleen Kane, Parks Division
Trent Schultz, Parking Division
Jeff Belshaw, Madison Water Utility
Jeffrey Heinecke, Forestry Section
Jenny Frese, Office of Real Estate Services