



Project Address: 10203 Mineral Point Road

Application Type: Neighborhood Development Plan Amendment, Zoning Map Amendment, Preliminary Plat and Final Plat

Legistar File ID # [31951](#), [31427](#) and [31307](#)

Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Reviewed By: Katherine Cornwell, Planning Division Director and Michael Waidelich, Principal Planner

Summary

Applicants & Property Owners: Jeff Rosenberg, MRCEV Acquisitions, LLC/ Veridian Homes; 6801 South Towne Drive; Madison.

Contact: Brian Munson, Vandewalle & Associates; 120 E. Lakeside Street; Madison.

Surveyor: Dan Day, D’Onofrio Kottke & Associates; 7530 Westward Way; Madison.

Requested Action: Approval of a request to rezone land generally addressed as 10203 Mineral Point Road from SR-C1 (Suburban Residential-Consistent 1 District) and SR-V2 (Suburban Residential-Varied 2 District) to TR-C3 (Traditional Residential-Consistent 3 District) and TR-U1 (Traditional Residential-Urban 1 District) and approval of a preliminary plat and final plat creating 230 single-family residential lots, 1 lot for future multi-family development, 10 outlots to be dedicated to the public for stormwater management, parkland and alleys, and 1 outlot to be privately maintained. Staff has determined that an amendment to the Pioneer Neighborhood Development Plan is required to change the recommended land uses for the site from low-density residential, low- to medium-density residential, and park, drainage and open space use to low-density residential, medium-density residential, and park, drainage and open space uses to the reflect the land uses and street pattern for the development proposal.

Proposal Summary: Veridian Homes acquired the property previously approved for development as the Tormey Ridge residential subdivision with the intent of platting a variety of street- and alley-loaded single-family lots of varying size, as well as the creation of a 4.7-acre lot to be developed with up to 100 multi-family units. The plat also calls for the dedication of a small public park on the northern half of the subdivision as well as the dedication of a portion of a larger community park proposed to serve future residential developments between Silicon Prairie and Pioneer Road. Implementation of the subdivision will occur in phases beginning in 2014, with completion of the subdivision anticipated in 2022.

Applicable Regulations & Standards: Section 28.182 of the Zoning Code provides the process for zoning map amendments. The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations.

Review Required By: Plan Commission and Common Council.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00073 and 28.022–00074, rezoning land generally addressed as 10203 Mineral Point Road from SR-C1 and SR-V2 to TR-C3 and TR-U1, the corresponding amendment of the Pioneer Neighborhood Development Plan, and the preliminary and final plats of Birchwood Point to the Common Council with

recommendations of **approval**, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 6 of this report.

Background Information

Parcel Location: An 81.3-acre parcel generally located on the south side of Mineral Point Road approximately a half-mile west of South Point Road and a quarter-mile east of Pioneer Road; Aldermanic District 9 (Skidmore); Madison Metropolitan School District.

Existing Conditions and Land Use: Undeveloped land.

Surrounding Land Use and Zoning:

North: Undeveloped land in the Town of Middleton;

South: Single-family residence on a large parcel in the Town of Middleton;

East: Single-family residences along Mineral Point Road in the Town of Middleton; Silicon Prairie Business Park (Full Compass Systems, etc.), in the City of Madison, zoned IL (Industrial–Limited District);

West: Undeveloped land in the Town of Middleton.

Adopted Land Use Plan: The Pioneer Neighborhood Development Plan identifies the subject site for a combination of low-density residential uses up to 8 units an acre; low- to medium-density residential uses between 8-16 units an acre; and park, drainage and open space uses. An area at the center of the site was shown on the 2004 neighborhood development plan as private open space with the note “Large Homes Sites Possible.”

Zoning Summary: See the ‘Project Description section below.

Environmental Corridor Status: The subject site is not located within a mapped environmental corridor (see Map A9), though the site is shown on the corridor map as having slopes greater than 12% and woodlands with greater than 80% canopy at the center of the site where the neighborhood development plan suggests that large homes sites are possible.

Public Utilities and Services: The site is located in the Central Urban service Area and will be served by a full range of urban services as it develops, with the exception of Metro Transit, which currently does not provide service west of Junction Road.

Previous Approvals

On January 8, 2008, the Common Council approved a request to rezone 81.3 acres addressed as 12003 Mineral Point Road from Temp. A (Agriculture District) to R1 (Single-Family Residence District) and R4 (General Residence District), and approved the preliminary plat of Tormey Ridge, creating lots 162 single-family lots, 3 lots for future multi-family development and 5 outlots. The plat conceptually called for the future development of up to 237 multi-family units at a density of 15 units per acre. The Common Council approved the final plat of Tormey Ridge on April 22, 2008, with re-approvals approval by the Council in 2010 and 2012. The final plat was never recorded.

Project Description

The applicant is requesting approval of a zoning map amendment and subdivision plat to allow an 81.3-acre parcel located on the south side of Mineral Point Road adjacent to Silicon Prairie Business Park to be subdivided into 230 single-family lots in TR-C3 (Traditional Residential-Consistent 3 District) zoning and 1 lot for the future development of up to 100 multi-family units in TR-U1 (Traditional Residential-Urban 1 District) zoning. A concept plan showing the type of multi-family buildings or dispersion of future units was not included with the materials for this project. The plat of Birchwood Point also calls for the dedication of 2 outlots for public parks, 4 outlots for public stormwater management, 3 outlots for public alleys to serve portions of the single-family lots proposed, an outlot for a bike path connection, and an outlot for private open space at the entrance to the plat.

The site is currently undeveloped. The site is bounded on the north by Mineral Point Road and several residences located adjacent to the road in the Town of Middleton. The area north of Mineral Point Road is within the City of Madison's planned Elderberry Neighborhood and is currently undeveloped. The Silicon Prairie Business Park abuts the eastern edge of the property, with lots closest to the site currently undeveloped. Lands to the west and south of the site are undeveloped in the Town of Middleton. The southern portion of the site is heavily wooded and contains slopes in excess of 12 percent. This portion of the site contains not only the high point for the subject property, but also one of the 3 highest points identified in the Pioneer neighborhood. In addition to the wooded slope at the center of the site, the property is bounded on the south and east by a line of mature trees, including large-caliper oak trees located at the southeastern corner.

Primary access to the subdivision will be provided by the proposed extension of Sugar Maple Lane into the site from Mineral Point Road. Sugar Maple Lane is proposed in the Pioneer Neighborhood Development Plan to extend north-south through the planning area as a minor collector street with a minimum right of way of 80 feet and bike lanes. Secondary access to the development will be provided by the westward extension of Silicon Prairie Parkway into the plat from the adjacent business park to intersect Sugar Maple Lane. A grid of local streets with either 56- or 60-foot wide rights of way will otherwise provide circulation through the plat.

The existing SR-C1 and SR-V2 zoning of the property under the new Zoning Code most closely mirrors the R1 and R4 zoning approved with the Tormey Ridge development in 2008. That approval placed the non-single-family elements of the earlier subdivision along the eastern edge of the property adjacent to Silicon Prairie Business Park, with single-family homes to be developed on the rest of the property save for an area at the southwestern corner of the site that was to be dedicated to the City for a future community park. The current proposal calls for the non-single-family component of the project to be developed in TR-U1 zoning along the northern edge of the site adjacent to Mineral Point Road, with the rest of the site to be zoned TR-C3. Conditional use approval will be required for any future multi-family development on proposed Lot 1 following the approval of the rezoning and subdivision of the property.

The 230 single-family lots proposed will range in size from 37-foot wide, 3,515 square-foot alley-loaded lots located between B Street and Sugar Maple Lane to 80-foot wide street-loaded lots exceeding 11,000 square feet. Lots 54-65 are proposed to front onto the smaller public park proposed as Outlot 6, with those lots to be accessed from a public alley (Outlot 5). Those lots will take advantage of a recent amendment to Section 28.135(2) of the Zoning Code and the Subdivision Regulations to allow lots to not front onto public streets and instead onto public or private parks if the front entrances to the homes have access from a sidewalk and access is provided from a public alley. The lots in the proposed Birchwood Point plat will be similar to single-family lots

developed in the Linden Park subdivision south of Valley View Road, which includes residences that front onto a private park along the west side of Lone Oak Lane.

In addition to the small Outlot 6 park along Sugar Maple Lane, the plat calls for the dedication of a 6.8-acre park at the southwestern corner of the site, which will include approximately 250 feet of frontage along G Street. The proposed park on Outlot 9 will be part of a larger community park recommended in the neighborhood development plan to serve this portion of the Pioneer neighborhood, which will be fully implemented as adjoining properties to the south and west develop.

Analysis

In general, the Planning Division believes that the proposed plat of Birchwood Point and related rezoning can meet the applicable standards for approval of subdivisions and zoning map amendments. The current development proposal will result in a well-designed subdivision that will be slightly less dense with 330 total dwelling units than the previous proposal for the 81.3-acre subject site, which called for 399 units if that development had been fully implemented as approved in 2008. The layout of the proposed development is similar to the layout recommended for the site in the Pioneer Neighborhood Development Plan and the previously approved Tormey Ridge subdivision, though staff feels that the proposed subdivision provides better circulation through the site than the prior development proposal. Planning staff believes that the corresponding amendment to the Pioneer Neighborhood Development Plan to reallocate the higher density residential development recommended on the site from the eastern edge adjacent to Silicon Prairie Business Park to the entrance into the subdivision from Mineral Point Road represents an acceptable relocation of density.

To better contour the zoning of the single-family lots to their proposed design and to limit the potential for future secondary land divisions that may create lots not in keeping with the character of the overall development, staff recommends that the zoning of most of the 230 single-family lots be TR-C1 instead of the TR-C3 zoning universally requested. TR-C3 zoning requires a minimum of 30 feet of lot width and 3,000 square feet of lot area, which the majority of the proposed lots will exceed, in some cases, significantly. The TR-C1 district, however, requires a minimum of 50 feet of lot width and 6,000 square feet of lot area. Staff recommends that Lots 39-45 and 54-101 be zoned TR-C3, with the zoning of the remaining lots to be TR-C1.

The Birchwood Point subdivision includes a number of 56-foot wide rights of way to serve many of the single-family blocks proposed. Section 16.23(8)(a)8.a.iv of the Subdivision Regulations establish that local streets be 60 feet wide with 32 feet of pavement (measured from curb face to curb face) unless specific criteria for the density and/ or provision of off-street parking for properties abutting local streets with less right of way are met. In this case, the developer represents that D Street east of proposed Sugar Maple Lane, E Street and F Street meet the criteria to allow those streets to be 56 feet wide with 28 feet of pavement width because the density of the lots abutting those streets will be less than the 5.44-unit an acre threshold in the Subdivision Regulations (there is no off-street parking requirement for this density threshold).

Staff and the developer have determined that development adjacent to C Street will be too dense to meet the criteria for a 56-foot right of way, which will result in that street being widened to 60 feet. Staff is also recommending that D Street and G Street be widened to 66 feet with 36 feet of pavement adjacent to the proposed parks on Outlots 6 and 9, respectively, per the requirement in the Subdivision Regulations that wider streets be provided next to anticipated on-street parking generators. Staff is also recommending that D Street be 60 feet wide from the park to the western edge of the plat because that street is anticipated to move traffic from across this plat and future development to the west to Sugar Maple Lane.

Staff also recommends that the multi-purpose path connection (Outlot 8) be moved from its proposed location between Lots 28 and 29 to the eastern terminus of Street A. While the connection proposed comports to the location shown on the neighborhood plan to connect to the future off-street path proposed along the northwesterly edge of Silicon Prairie Business Park, staff believes that the relocation of the connection to the end of Street A will accomplish the connectivity recommended in the neighborhood plan while providing the sidewalk, connecting path or multi-use path required by the Subdivision Regulations when a cul-de-sac is proposed. Section 16.23(8)(a)1 states that “Cul-de-sacs shall not be used in any street layout, unless the topography or other unique physical feature of a development makes cul-de-sacs the only, or most logical, street layout. Where cul-de-sacs are determined to be necessary, a sidewalk, connecting path or multi-use path shall be provided to connect to another public right of way unless topography or other unique physical features make this connection impossible.” Sec. 16.23(8)(a)2 further states that “Proposed streets shall extend to the boundary lines of the subdivision unless prevented by topography or other physical conditions; or unless in the opinion of the Plan Commission such extension is not necessary or desirable for the coordination of the layout of the subdivision and for the advantageous development of the adjacent lands.” Staff believes that the Plan Commission can find the extension of Street A to the east into the Silicon Prairie Business Park impractical given the layout and development of the adjacent plat.

Finally, Kevin Briski, Parks Superintendent, has submitted a memo (attached) for the Plan Commission’s consideration regarding the adequacy of the park dedications shown on the Birchwood Point plat. Section 16.23(8)(f)5 of the Subdivision Regulations states that “The Plan Commission, after recommendation of the Park Commission shall determine that any land to be dedicated as a requirement of this section shall be reasonably adaptable to meet desirable on-site facilities as outlined in Madison’s Parks and Open Space Plan, and shall so recommend to the Common Council. Factors used in evaluating the adequacy of proposed park and recreation areas shall include size and shape, topography, geology, tree and other plant cover, access, and location.”

Parks staff is recommending revisions to the plat to increase the amount of street frontage for the community park at the southwestern corner of the site (Outlot 9) and to increase the depth of the small neighborhood park (Outlot 6) measured from Sugar Maple Lane to create a more functional open space that meets the requirements for neighborhood parks in the [2012-2017 Parks and Open Space Plan \(link\)](#). The small park is not shown on the adopted [Pioneer Neighborhood Development Plan](#). The developer has stated a desire to provide an open space amenity for the northern portion of the subdivision while the full plat builds out and until the community park in the southwestern corner of the site is implemented through the development of adjacent properties. In the event that the proposed park is not reconfigured to be acceptable as public parkland, the open space shall be maintained privately, with the covenants, conditions and restrictions for the subdivision to be approved by the Planning Division and City Attorney’s Office prior to recording of the plat.

Conclusion

Staff believes that the proposed Birchwood Point development can meet the applicable standards for approval of subdivisions and zoning map amendments and that the proposed amendment to the [Pioneer Neighborhood Development Plan](#) to relocate the higher-density residential component of the project to the northern edge of the 81.3-acre site adjacent to Mineral Point Road is acceptable. In order for the development to proceed, the plat shall be revised to modify the width of certain streets to conform to the criteria in the Subdivision Regulations and to rectify the concerns raised by the Parks Superintendent about the design of the parks the developer proposes to dedicate to the City.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00073 and 28.022–00074, rezoning land generally addressed as 10203 Mineral Point Road from SR-C1 and SR-V2 to TR-C3 and TR-U1, the corresponding amendment of the Pioneer Neighborhood Development Plan, and the preliminary and final plats of Birchwood Point to the Common Council with recommendations of **approval**, subject to input at the public hearing and the following conditions:

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

1. That the zoning map amendment be revised to zone Lots 2-39, 46-53, and 102-231 and adjacent outlots to the TR-C1 (Traditional Residential–Consistent 1 District).
2. That the following street and path revisions be made to the subdivision prior to approval of the final plat by the Planning Division for recording:
 - 2a. That the right of way width of C Street be 60 feet;
 - 2b. That the right of way width of D Street between Sugar Maple Lane and the western plat boundary be 60 feet, except adjacent to Outlot 6, where a 66-foot wide right of way shall be provided adjacent to Outlot 6; the width of D Street between A Street and Sugar Maple may be 56 feet;
 - 2c. That the right of way width of G Street be 66 feet wide adjacent to Outlot 9;
 - 2d. That Outlot 8 be relocated to the eastern end of Street A.
3. That the final plat be revised to include a note restricting the future development of Lot 1 to no more than 100 dwelling units consistent with the application materials. This density is also consistent with the density range of 16-25 units an acre recommended for medium-density residential development in the proposed amended Pioneer Neighborhood Development Plan.
4. The final plat shall be revised to include a note approved by the Planning Division in consultation with the Traffic Engineering Division that notifies future property owners and residents of the Birchwood Point subdivision of the planned future extension of Sugar Maple Lane south of the plat per the adopted Pioneer Neighborhood Development Plan.
5. That the final plat be revised to include a vehicular access restriction along the southern right of way line of Mineral Point Road. The restriction shall be shown graphically on the face of the plat and as a note acknowledging that no vehicular access shall be granted.
6. Prior to recording of the final plat, that a final tree preservation plan and grading plan be approved by staff. The final plan will be reviewed by the Planning Division, Parks Division and City Engineering Division to identify areas where existing vegetation may be preserved as part of the implementation of the subdivision. The tree preservation plan shall contain an inventory noting the general size and species of existing trees so that opportunities for tree preservation, tree replanting and any protective measures related thereto (including tree preservation easements) can be noted the final plat.

7. The applicant shall submit to the Planning Division two copies of the private subdivision covenants, conditions and restrictions that govern the organizational structure, use, maintenance and continued protection of the development and any common services, open areas or other facilities to serve the proposed subdivision. These documents shall be approved by the Planning Division in consultation with the City Attorney's Office prior to final approval of the plat for recording.

The following conditions of approval have been submitted by reviewing agencies:

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

8. Storm sewer shall be installed by this plat that includes off-site and out of phase sewer that connects to the discharge from the Silicon Prairie Business Park plat. This shall be required to provide this plat a suitable discharge location.
9. Revise Outlot 1 to show a "Public Sanitary Sewer" easement at a location and size to be determined by the City Engineer. Additional easements shall be required to run sewer to streets within the plat. Include the required standard plat language on the final plat for "Public Sanitary Sewer Easements" for any easement area(s) required.
10. The City does not currently have sanitary sewer capacity to serve this entire development and will not until the Lower Badger Mill Sanitary Sewer is built.
11. All proposed street names shall be approved by the City Engineer. Submit proposed street name suggestions to Lori Zenchenko (lzenchenko@cityofmadison.com). Street names are limited to 17 character spaces including abbreviated suffix and shall not duplicate or closely resemble the sound of any other street in the Dane County 911 jurisdiction area.
12. The north lines of Lot 7 and Lots 8-13 are not coterminous with the corporate boundary of the City of Madison. Certified Survey Map 9957 did not include a triangular area along the north line of the lots due to discrepancies between title and possession lines. Two quit claim deeds have been recorded granting title to adjacent Town of Middleton parcels 038-0708-282-8580-3 and 038-0708-282-8570-5. There still exists a triangular area not within this plat, owned by and within the City of Madison adjacent to Town of Middleton parcels 038-0708-282-8610-6, 038-0708-282-8600-8 and 038-0708-282-8590-1. This may require coordination between the developer, City Engineering and the Office of Real Estate Services prior to final plat recording to resolve the remnant parcel issue.
13. Certified Survey Map 12480 notes a centerline alignment for a 20-foot wide Pedestrian/Bike Path that is along and/or near the rear lines of Lots 13-16 and 20-23 of the proposed plat. Coordinate with Traffic Engineering and City Engineering for any required easement area required for the Pedestrian/Bike path. If required, include the required standard plat language on the final plat for "Public Sidewalk and Bike Path Easements" for any easement area(s) required.
14. Coordinate with all of the utilities and place on the final plat all required public utility easements required to properly serve the development. Also add a note to the legend for the public utility easements to "refer to Note 3 on Sheet 5 for further details."

15. There still appears to be a 12-foot wide non-exclusive easement for drainage purposes adjacent to the north and west lines Outlot 1 of Silicon Prairie Business Park as originally set out by Certified Survey Map 9957. This would affect Lots 8-13, 23, 22, 49 and 50. If not already completed, the easement areas shall be released. If a release is required, coordinate the release with City Engineering Mapping and the Office of Real Estate Services.
16. Radii at the corners of Outlots 4, 5 and 7 (dedicated for public roadway) where they intersect with the public streets shall be provided where required by the City Engineering or Traffic Engineering divisions.
17. The outlot numbering system shall be revised to match the same progression as the lot numbering system from block to block.
18. The adjacent Lots 7 and 8 of Silicon Prairie Business Park have been re-divided as CSM 12480. The plats shall be revised accordingly.
19. The developer shall work with the City Engineering or Traffic Engineering divisions on the design of the “D” Street and Sugar Maple Lane intersection improvements. Modification to the plat prior to final sign off may be required to accommodate the design.
20. Verify that the zoning side yard setbacks coincide with the required 6-foot drainage easements.
21. The developer shall dedicate a public pedestrian/ bike path easement at the end of “A” Street to connect to the platted 20-foot landscaping and bike path easement as dedicated by the Silicon Prairie Business Park plat.
22. The developer shall provide for a private sidewalk easement and construct a private sidewalk adjacent to Lots 54-65 and Outlot 6. The easement shall not be within the proposed public park. This sidewalk shall be designated as a Type V sidewalk that is privately owned and maintained.
23. Modify “D” Street to provide for a 60-foot wide right of way west of Sugar Maple Lane.
24. The developer shall enter into an agreement with the City for the long-term maintenance of the islands and neighborhood roundabout within the plat if required by the City Engineer.
25. The developer shall enter into a City/Developer agreement for the installation of public improvements required to serve this plat/ CSM. 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.
26. 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 feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
27. This development is subject to impact fees for the Lower Badger Mill Creek Sanitary Sewer and Stormwater Impact Fee District. All impact fees are due and payable at the time building permits are issued. The

following note shall be put the face of the plat: “Lots/ buildings within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued.”

28. The applicant shall dedicate 10 feet of right of way along Mineral Point Road.
29. It is anticipated that the improvements on Mineral Point Road required to facilitate ingress and egress to the plat will require additional right of way and/or grading easements located outside the plat boundary. The developer shall acquire the right of way and/or sloping easements as required by the City at the developer’s expense. In the event that the developer is unable to acquire the right of way and/or sloping easements required, the City shall assist the developer in acquiring the property and the developer shall pay the City for all costs associated with the acquisition.
30. The developer shall construct Madison standard street and sidewalk improvements for all streets within the plat.
31. The developer shall construct sidewalk and complete ditching along Mineral Point Road per a plan approved by the City Engineer.
32. The developer shall make improvements to Mineral Point Road considered temporary to facilitate ingress and egress to the plat until such time as the ultimate improvement of the roadway is undertaken by the City.
33. An erosion control plan and land disturbing activity permit shall be submitted to the City Engineering Division for review and approval prior to grading or any other construction activities. The Preconstruction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
34. The following notes shall be included on the final plat:
 - a.) All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.
 - b.) The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.

NOTE: In the event of a City of Madison Plan Commission and/or Common Council approved re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.

Information to Surveyor's: 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.

35. Prior to the issuance of building permits, the developer shall submit a master stormwater drainage plan to the City Engineering Division for review and approval which shows lot corner elevations to the nearest 0.25-foot. For purposes of the plan, it shall be assumed that grading shall be done on a straight-line grade between points unless other information is provided. The proposed slope between points shall always be greater than or equal to .0075 ft/ft. If a break in grade is required between lot corners a shot shall be taken at that break in grade to provide the Engineer with enough information to interpret the plan. The developer shall also show proposed drainage arrows on the plan to indicate the proposed direction of drainage.

The master storm water drainage plan shall be submitted to City Engineering in digital format with elevations/grades/contours shown on the recorded plat map of the development. The digital record shall be provided using the state plane coordinate system – NAD 27. Note: It is required that this plan shall be stamped by and Registered Land Surveyor.

The following note shall accompany the master stormwater 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 the City Engineering Division's approval of this plan."

36. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to: detain the 2-, 10-, and 100-year storm events; control 80% TSS (5 micron particle) off of new paved surfaces; provide infiltration in accordance with Chapter 37 of Madison General Ordinances; provide substantial thermal control, and; 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 Chapter 37 MGO.
37. Effective January 1, 2010, the Wisconsin Department of Commerce's authority to permit commercial sites for stormwater and erosion control has been transferred to the Wisconsin Department of Natural Resources (WDNR). As this site is greater than one acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the WDNR prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt of the WDNR at 273-5612 to discuss this requirement. The City of Madison cannot issue an erosion control and stormwater management permit until concurrence is obtained from the WDNR.
38. Future phases of this project shall comply with Section NR 151 of the Wisconsin Administrative Code in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options: Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices. Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

39. A minimum of 2 working days prior to requesting City Engineering signoff on the plat, the applicant shall contact Janet Dailey (261-9688) to obtain the final stormwater utility charges that are due and payable prior to subdivision of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
40. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
41. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
42. 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. Note: Land tie to two PLS corners required.
43. 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. The City has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City Engineering Division website for current tie sheets and control data (http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html). If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact the City Engineering Division for this information.
44. 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 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: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; 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).

*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.

*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.

45. In accordance with Section 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. Identify the owner and/or benefiting interest of all easements.

Traffic Engineering Division (Contact Eric Halvorson, 266-6527)

46. The applicant shall revise the plat to show a 66-foot right of way for Street G per MGO Section 16.23(8), as the street is adjacent to a proposed park.
47. The applicant shall dedicate sufficient right of way for installation of a neighborhood roundabout to be designed by the Traffic Engineering Division at the intersection of Sugar Maple Lane and Street D. Sugar Maple Lane is expected to convey substantial collector traffic, and the neighborhood roundabout will help to slow traffic on the roadway. The current right of way as shown on the plat does not appear adequate.
48. Sugar Maple Lane is expected to convey substantial traffic through a single-family residential development. The applicant shall enter into a developer’s agreement with the City Engineering Division to include the installation of speed humps on Sugar Maple Lane.

49. Utility easements shall be provided on the final plat between the lots in the following table. The applicant shall show a detail drawing of the 12-foot utility easement dimensions and lot lines on the face of the final plat.

Between Lots	Between Lots	Between Lots	Between Lots	Between Lots	Between Lots
2-3	East 12' of Lot 38	86-87	132-133	166-167	191-192
3-4	39-40	102-103	134-135	169-170	195-196
16-17	44-45	106-107	138-139	171-172	199-200
25-26	49-50	110-111	142-143	174-175	203-204
27-28	54-Outlot 6	114-115	153-154	177-178	207-208
30-31	78- Outlot 4	118-119	162-179	179-162	221- Outlot 10
34-35	80-81	121-122	163-164	181-182	

50. The developer will need to demonstrate/provide how private streetlights will be installed and maintained in the public alleys. The plat shall provide the following note on the face of the plat: "The City will not install lighting in the alleys, but the developer or property owners may request the City to approve a private light(s) in the alley right of way. Such private light(s) to be operated and maintained by private interests."

51. 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)

52. Provide building envelopes on lots with widths of less than 50 feet to assure that building side yard setbacks match proposed easements.

Fire Department (Contact Bill Sullivan, 261-9658)

53. Provide the following information to the buyer of each individual lot: “The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e).”

Water Utility (Contact Dennis Cawley, 261-9243)

54. All public water mains and water service laterals shall be installed by a standard City of Madison Subdivision Contract. The Water Utility will not need to sign off the final plans, but will need a copy of the approved plans.

55. All operating private wells shall be identified and permitted by the Madison Water Utility and all unused private wells shall be abandoned in accordance with MGO Sec. 13.21.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.

Parks Division (Contact Kay Rutledge, 266-4714)

→ See attached memo dated October 29, 2013 from Kevin Briski, Parks Superintendent

Office of Real Estate Services (Jenny Frese, 267-8719)

56. Prior to final 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 MGO Section 16.23(5)(g)4 and 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. If the property is not conveyed from Mineral Point Road Holdings, LLC to MRECV Acquisitions, LLC prior to final plat sign-off, please update the Owner’s Certificate to reflect the owner as of the day of final sign-off. Certificates shall be prepared with the ownership interests consistent with the most recent title report.

57. Certificates of consent from all mortgagees/vendors shall be included following the Owner’s Certificate(s). Per title and public record search, the subject parcels appear to be encumbered by mortgages for the following mortgagees:

→ AnchorBank, FSB

58. An Environmental Site Assessment is required because of the public dedications.

59. As of September 30, 2013, the 2012 real estate taxes are delinquent. The amounts reported below include penalty and interest. Please be aware that these amounts are accruing and final totals shall be verified prior

to payment. Special assessments for street improvements are also due. Per Chapter 236.21(3) of Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes and special assessments that are accrued or delinquent for the subject properties prior to final approval of the plat for recording as follows:

Parcel Address	Tax Parcel No.	2012 Taxes Owed	Special Assmnts.
9826 Silicon Prairie Parkway	0708-282-0307-9	\$26.41	\$903.03
10203 Mineral Point Road	0708-291-0099-3	\$12,461.63	\$10,226.95
Total		\$12,488.04	\$11,129.98

60. Stormwater management fees, if any, shall be paid in full prior to final sign-off.

61. The following revisions shall be made to the final plat prior to final approval and recording:

- a.) Accurately reflect the contents of the updated title report in the proposed plat, including the depiction and labeling of any easements by document number, and the inclusion of notes referencing other documents that encumber the land within the plat boundary.
- b.) Record satisfactions or releases for all mortgages, liens, judgments, or other instruments that encumber the title of the subject lands, but where the purpose for such instrument has been satisfied, fulfilled, or resolved.
- c.) Coordinate with City staff regarding unresolved ownership issues for certain parcels along the northern boundary of Outlot 1 Silicon Prairie Plat. Reference Real Estate Project 3682.