



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

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October 8, 2015

Gary Woolever
Vierbicher Associates
400 Viking Drive
Reedsburg, WI 53959

RE: Approval of a revised preliminary and new final plat for Tennyson Ridge (1818-1910 Tennyson Lane)

Dear Mr. Woolever:

At its October 6, 2015 meeting, the Common Council **conditionally approved** the revised preliminary and new final plat of "Tennyson Ridge" subject to the following conditions of approval to be addressed through the final approval and recording of the subdivision:

Please contact Brenda Stanley of the City Engineering Division at 261-9127 if you have questions regarding the following forty-one (41) items:

1. Applicant shall coordinate and request from the utility companies serving this area the easements required to serve this development. Note that there currently is not a Public Utility Easement along the rear of Lots 7-14.
2. Temporary Limited Easements for Grading and sloping are required from the adjacent property owner at the ends of Eliot Lane and Whitman Lane and the Developer is unable to secure the easements, the City may allow grading easements within the plat to allow for the construction of the street. These easements shall not be encumbered by utilities or other impediments and shall be reserved for grading and sloping and drainage as necessary.
3. The Developer shall be required to obtain Permanent Limited Easement for sloping and grading required over the lands adjacent to proposed Whitman Lane (lands to the east at 1936 Tennyson La) to permit the construction of the street and utility improvements within the right of way.
4. The plat notes that Lots 7 - 14 of this plat are subject to the requirement of a tree preservation plan per Certified Survey Map Number 13716. Applicant shall coordinate the location and configuration of the required drainage easement(s) with Engineering staff so that the impact of the required drainage easement configuration on the tree preservation plan is minimized.
5. The developer shall coordinate with the owner of Lot 2, CSM No. 13716 to dedicate the necessary area providing the required 15 foot radius return at the northeast quadrant of the intersection of Tennyson Ridge Lane and Tennyson Lane.

6. The Temporary Limited Easement for the temporary cul de sac at the north end of Eliot Lane per Certified Survey Map No. 13716 shall be released by a separate document. Applicant must prepare metes and bounds legal descriptions and scale map exhibits for the portions to be released and provide to Engineering Land Records Coordinator Jeff Quamme for review (608-266-4097) (jrquamme@cityofmadison.com). Upon approval of the exhibits and payment of the required \$500 administration fee (check payable to City of Madison Treasurer) to cover staff time and recording costs, Engineering will create the necessary Office of Real Estate Services (ORES) Project. ORES staff will then administer the release document(s) and record with the Dane County Register of Deeds. The release shall be completed prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat.
7. The Applicant shall acquire a permanent limited easement for public street purposes if necessary for off-site improvements and convey to the City. The Applicant shall also acquire temporary limited easements for grading and sloping on the adjacent property as necessary to construct the new public street. If the Developer is unable to acquire and dedicate said public easements, the City may elect to obtain by eminent domain, any such easements with all real estate, land, and reasonable administrative costs related to the City's acquisition of the required easements to be paid for solely by the Developer. All easement documents shall be drafted by and coordinated with the City of Madison Office of Real Estate Services. If eminent domain proceedings are ultimately utilized, applicant's surveying consultant shall provide the information required for City of Madison Engineering staff to prepare all documents required for the proceedings.
8. The developer shall provide information on how lots 2 through 13 will be treated for stormwater management (rate and pollution control). *Note this 2-14 on revised Plat*
9. Applicant shall confirm the dimensions of the Temporary Turnaround easements on Eliot Lane and Whitman Lane with engineering staff prior to final sign off.
10. If the existing buildings are not removed by the recording of the final plat, the buildings and improvements shall be shown and labeled "To be Demolished" on the final plat.
11. Notes 4, 5 and 9 of the final plat shall be combined and revised verbatim:
12. All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

NOTE: IN THE EVENT OF A CITY OF MADISON PLAN COMMISSION AND/OR COMMON COUNCIL APPROVED REDIVISION OF A PREVIOUSLY SUBDIVIDED PROPERTY, THE UNDERLYING PUBLIC

EASEMENTS FOR DRAINAGE PURPOSES ARE RELEASED AND REPLACED BY THOSE REQUIRED AND CREATED BY THE CURRENT APPROVED SUBDIVISION.

13. 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.
14. Remove the drainage easements per CSM 13716. The previous easements are released and replaced with the new easements set forth by the new plat per the drainage easement note above.
15. 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 to be attached to the monument condition report. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. Note: Land tie to two PLS corners required.
16. The Applicant shall submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat/CSM to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe pdf format. The digital CADD file shall be submitted in the Wisconsin County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat:
 - a. Right-of-Way lines (public and private)
 - b. Lot lines
 - c. Lot numbers
 - d. Lot/Plat dimensions
 - e. Street names
 - f. Easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

NOTE: This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any original submittal of data and prior to final sign off.

17. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM must be submitted to Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to

final Engineering Division sign-off. Electronic mail submittal of the FINAL Plat or CSM in PDF form is preferred.

18. Comments provided by City Staff are not comprehensive in regard to determining full compliance with all statutory and local ordinance requirements. The Professional Surveyor preparing the land division is fully responsible for the preparation of the final land division document(s) being in full compliance with the applicable State Statutes and local ordinances.
19. The Outlot 1 designation on Whitman Lane shall be removed. The note shall be revised to read "Whitman Lane hereby dedicated to the public for public street purposes." Also remove the dashed underscore of the street name, this is a newly dedicated road.
20. Outlot 2 shall be changed to Outlot 1. The note shall be revised to read "Outlot 1 hereby dedicated to the public for storm water management purposes.
21. The Surveyor's Certificate on the final plat shall be revised to be compliant with the requirements of Chapter 236 of the Wisconsin Statutes. Also provide a vicinity map as required.
22. Remove the description per the subdivision approval report from the final plat.
23. Two iron pipes are shown at the northwest corner of the plat. Provide a detail of the locations.
24. Language is provided for a Public Storm Sewer Easement on sheet 2. The final plat does not grant any new storm sewer easements on the face of the plat. Either provide the locations properly labeled on the map or remove the note.
25. Provide the weight and length of the 1 1/4 rebar in the legend. Provide a standard Public Utility Easement detail in the legend showing linetype and standard widths. Provide overall widths of Eliot Lane, Tennyson and Whitman Lane. Remove the acres designation for lot areas on the final plat.
26. All required permanent limited easements to the City of Madison for public street purposes for off site improvements shall be recorded prior to final plat sign off and the documents referenced on the face of the plat. Also all of these documents shall be coordinated with and drafted by the City of Madison Office of Real Estate Services.
27. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact City Engineering 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). (POLICY)
28. A Phase 1 environmental site assessment (Phase 1 ESA), compliant with ASTM E1527-13, is required for the project area. The applicant shall provide one (1) digital copy and a paper copy only if specifically requested. Staff review of this Phase 1 ESA will determine if a Phase 2 ESA is also required. Please submit report(s) to Brynn Bemis (608-267-1986, bbemis@cityofmadison.com) for review.

29. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat/csm (MGO 16.23(9)(d)).
30. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact City Engineering to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
31. An erosion control plan and land disturbing activity permit shall be submitted to the Engineering Division for review and approval prior to grading or any other construction activities. The Preconstruction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. The applicant shall demonstrate compliance with 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 5-tons per acre per year.
32. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2, 10, & 100 -year storm events, matching post development rates to predevelopment rates.
33. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls.
34. Prior to the issuance of building permits, the Developer shall submit a master stormwater drainage plan to the City Engineering Division for review and approval which shows lot corner elevations to the nearest 0.25-foot. For purposes of the plan, it shall be assumed that grading shall be done on a straight-line grade between points unless other information is provided. The proposed slope between points shall always be greater than or equal to .0075 ft/ft. If a break in grade is required between lot corners a shot shall be taken at that break in grade to provide the Engineer with enough information to interpret the plan. The Developer shall also show proposed drainage arrows on the plan to indicate the proposed direction of drainage. (MGO 16.23(9)(D))
35. The master storm water drainage plan shall be submitted to City Engineering in digital format with elevations/grades/contours shown on the recorded plat map of the development. The digital record shall be provided using the state plane coordinate system – NAD 27. NOTE: It is required that this plan shall be stamped by and Registered Land Surveyor. The following note shall accompany the master storm water drainage plan:
 - a. 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.
36. No building permits shall be issued prior to City Engineering's approval of this plan.
37. The construction of this project will require the applicant shall enter into a City / Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not

sign off on this project without the agreement executed by the developer. Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum. (MGO 16.23(9)c)

38. The developer shall construct Madison Standard street and sidewalk improvements for all streets within the plat/csm. (MGO 16.23(9)(d)6)
39. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat/csm. (MGO 16.23(9)(d))
40. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 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. Information on this permit application is available on line: <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION)
41. Two weeks prior to recording the final plat, a soil boring report prepared by a Professional Engineer, shall be submitted to the City Engineering Division indicating a ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9' below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer. (MGO 16.23(9)(d)(2) and 16.23(7)(a)(13))

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following three (3) items:

42. The attached Traffic Signal and St. Light declaration of conditions and covenants shall be executed and returned to City Traffic Engineering.
43. Utility easements shall be provided as follows between lots:

7-8 (*Lots 8-9 as revised)
11-12 (*Lots 12-13 as revised)
44. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following item:

45. 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.

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

46. Provide the following information to the buyer of each individual lot: Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: <http://www.homefiresprinkler.org/Consumer/ConsHome.html>
47. Per MGO 34.503 and IFC 503.2.5:
 - a. A fire apparatus access road that is longer than 150-feet shall terminate in a turnaround. Provide an approved turnaround (cul-de-sac, 45 degree wye, 90 degree tee) at the end of the fire apparatus access road. This turnaround shall be constructed of concrete or asphalt only, and designed to support a minimum load of 85,000 lbs.
 - b. All portions of the exterior walls of newly constructed one- and two-family dwellings shall be within 500-feet of at least one fire hydrant. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.20 for additional information.

Please contact Janet Schmidt of the Parks Division at 261-9688 if you have any questions regarding the following two (2) items:

48. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development in this subdivision. The developer must select a method for payment of park fees before signoff on the final plat. This development is within the Far West park impact fee district (SI30). Please reference ID# 14121 when contacting Parks Division staff about this project. [Note: 2015 Park Impact Fees are now in effect.]
49. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right of way. Permission for such activities must be obtained from the City Forester, 266-4816.

Please contact Jenny Frese of the Office of Real Estate Services at (608) 267-8719 if you have any questions regarding the following eight (8) items:

50. The ownership interest in the Owner's Certificate does not match the owner in the title report dated August 7, 2015. Prior to approval sign-off, the Owner's Certificate(s) on the FP shall be executed by all parties having a legal 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.
51. The mortgagee in the certificate on Sheet 2 shall be consistent with the mortgage interest reported in the title report dated August 7, 2015. In addition, revise the ownership interest in the mortgagee certificate to show the correct legal ownership entity. All mortgagee certificates shall be executed prior to plat approval sign-off.
52. A Phase 1 ESA is required for the public dedication areas, to be reviewed by Brynn Bemis in the City Engineering Division. Findings and conclusions may or may not require a Phase 2 ESA.

53. As of August 18, 2015, there are delinquent real estate taxes reported for the subject property. Under 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, 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. Receipts are to be provided on or before sign-off and checks are payable to:

City of Madison Treasurer
210 Martin Luther King, Jr. Blvd.
Madison, WI 53701

54. As of August 18, 2015, special assessments are reported for the subject property. Pursuant to Madison City Ordinance Section 16.23(5)(e)1 and Wis. Stats. 236.21(3), all special assessments shall be paid prior to approval sign-off, including accrued interest, if any.

55. Prior to Plat approval sign-off, please verify that storm water management fees are paid in full by contacting Pamela Mously at the Water Utility (261-9132).

56. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish to the City's Office of Real Estate Services, as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (8-7-15) and the date when sign-off approval is requested. The surveyor shall update the plat with the most recent information available in the title report update.

57. Revise the plat as follows:

- a. Provide proof of lien and judgment satisfactions by recorded document or court docket for the six cases reported in record title.
- b. If the temporary limited easement for the cul-de-sac bulb at the end of Eliot Lane must be different from the location created by prior CSM No. 13716, please coordinate with the City Engineering Division and the Office of Real Estate Services to provide a map and legal description to be used to accomplish the release of the existing temporary limited easement of the same. A \$500 administrative fee shall be paid to the Office of Real Estate Services and the release shall be recorded prior to CSM sign-off.
- c. Coordinate with the City Engineering Division and the Office of Real Estate Services to provide a map and legal description to be used to create and record a document for the public dedication of the radius on adjacent Lot 2 CSM No. 13716 to accommodate Whitman Lane. A \$500 administrative fee shall be paid to the Office of Real Estate Services and said dedication shall be recorded prior to plat approval sign-off.
- d. Remove the designation of dedicated Whitman Lane as an Outlot and rename Outlot 2, dedicated for storm water purposes, to Outlot 1.
- e. Include the recording information for the release document that corresponds to the DCCR described in Note #3 on Sheet 1.
- f. Include Notes that describe all declarations and restrictions that encumber the lands within the CSM boundary, as shown in the title report.

- g. To avoid confusion, remove the depiction of the new storm water drainage easements and only depict the new public utility easements, as the public storm water drainage easements are described and set forth under the Notes section on Sheet 1.
- h. Include the word public in the label for all public easements created by the prior CSM that are appropriate to depict on the plat.
- i. If the easement rights described in the Notes on Sheet 2 are necessary to serve the development and are being created by this plat, depict said easements. If this was not the intent, remove these Notes in their entirety.
- j. Coordinate with City staff regarding the Notes to be carried over from prior CSM No. 13716.

Please contact my office at 267-1150 if you have any questions about the following four (4) items:

- 58. That Lots 5 and 6 are to remain zoned SR-C1 when approving the final SR-V2 zoning boundary as required in Condition #54 of the January 23, 2015 approval letter regarding the zoning map amendment for the subject property. Adjustments to Lot 1 boundary will require approval of alterations to the conditional use for the 72-unit residential building complex.
- 59. That the landscape and grading plan for Outlot 1 be modified as follows with details to be approved by the City Engineering Division in consultation with the Planning Division:
 - a. Remove the apartment sign from Outlot 1, this off-premise sign is not allowed by the City's signage regulations;
 - b. Provide necessary vehicle access area for maintenance vehicles;
 - c. Clarify the approximate water line;
 - d. Provide a more natural pond/basin shape (with more curvilinear forms);
 - e. Clarify the location of naturalistic plantings versus turf and clarify the location of where seed mix will be located;
 - f. Create plant groupings to create plant massing;
 - g. Coordinate planting area with stormwater management areas proposed on Lot 1; and
 - h. Enter into all necessary maintenance agreements with City Engineering for operational maintenance (mowing, weed removal, tree trimming....) for Outlot 1. This will include recording the agreement at the Dane County Register of Deeds against a parcel of the Developers Choosing. This will be completed before sign-off on the plat.
- 60. That prior to final sign-off and recording of the Plat, the applicant provides a Tree Preservation Easement along the rear property lines of Lots 10-14. This shall be noted on the face of the plat. Final details shall be approved by the Planning Division and Engineering Division. The tree preservation area is intended to range from approximately 35-60 feet, with the deeper lots (13 and 14) having a wider tree preservation area. Final dimensions of this area will be approved by staff, depending on the final design of Eliot Lane and other supplemental information provided by the applicant.

The following note should be added to the plat: The tree preservation area is intended to preserve existing mature trees and vegetation at the rear of those lots, in particular the over-story trees present. Removal of tree and vegetation within the tree preservation easement is prohibited except for the removal of diseased trees or the clearing of underbrush. The construction of any principal or accessory building or structure within the tree preservation easement is strictly prohibited, including the construction of any deck, patio, pool, shed, gazebo, etc. No retaining walls may be constructed or erected within the easement unless for the direct purpose of tree preservation. Fences consistent with zoning requirements are permissible. Management of the tree preservation area shall be the responsibility of the property owner. The Director of the Planning Division of the Department of Planning and Community and Economic Development or his or her designee shall be responsible for the management and enforcement of the easement and any violations of the easement shall be enforced by the city as provided in Madison General Ordinance.

61. That the final design of the temporary turnarounds be approved by City Engineering Division.

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

As soon as the comments and conditions have been satisfied for the final plat as verified with a completed affidavit form (attached), the original along with the revised final plat, with all signatures and approvals from the reviewing agencies, shall be brought to this office for final signoff. You or your client may then record the final plat at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 266-4141.

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. The approval of this final plat shall be null and void if not recorded in twelve (12) months from the date of this letter. If I may be of any further assistance, please do not hesitate to contact me at 267-1150.

Sincerely,

Kevin Firchow, AICP
Planner

cc: Brenda Stanley, City Engineering Division
Eric Halvorson, Traffic Engineering Division
Janet Schmidt, Parks Division
Jenny Kirchgatter, Assistant Zoning Administrator
Bill Sullivan, Madison Fire Department
Dennis Cawley, Madison Water Utility
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Planning & Development