



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 1302-1430 Reiner Road  
**Application Type:** Zoning Map Amendment, Preliminary Plat and Final Plat, Demolition Permit  
**Legistar File ID #** [45541](#), [45250](#) and [45533](#)  
**Prepared By:** Timothy M. Parks, Planning Division  
Report includes comments from other City agencies, as noted  
**Reviewed By:** Heather Stouder and Kevin Firchow, Planning Division

## Summary

**Applicant:** Ray Yunker, NorthPointe Construction, Inc.; 837 Shooting Star Circle; DeForest.

**Surveyor:** Mike Calkins, Snyder & Associates; 5010 Voges Road; Madison.

**Property Owner:** Wood Madison Corporation c/o Forward Management; 818 North Star Drive; Madison.

**Requested Actions:** Approval of a request to rezone 1302-1430 Reiner Road from A (Agricultural District) to TR-C3 (Traditional Residential–Consistent 3 District) and TR-U1 (Traditional Residential–Urban 1 District); approval of the preliminary plat and final plat of Woods Farm, creating 131 single-family lots, 11 lots for four-unit dwellings, one lot for multi-family development, and four outlots to be dedicated to the public for park and stormwater management; and approval of a demolition permit to allow single-family residences at 1318 and 1402 Reiner Road to be razed as part of the proposed subdivision.

**Proposal Summary:** The applicant is requesting approval of the “Woods Farm” subdivision, which proposes 131 single-family lots, 11 lots for four-unit dwellings, one lot for multi-family development, and four outlots to be dedicated to the public for park and stormwater management following demolition of two single-family residences on the subject site. The development will occur in phases beginning in summer 2017, with completion of the subdivision anticipated based on market demand for lots.

**Applicable Regulations & Standards:** Section 28.182 of the Zoning Code provides the process for zoning map amendments. Section 28.185 provides the process and standards for the approval of demolition and removal permits. The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations.

**Review Required By:** Plan Commission and Common Council.

**Review Schedule:** The State’s subdivision statute, Wis. Stats. 236, requires that a preliminary plat be approved, conditionally approved, or rejected (with stated reasons) within 90 days of submittal unless the time is extended by agreement with the applicant. If no action is taken within 90 days and no extension granted, the plat is deemed approved. The proposed preliminary plat application was submitted to the City on November 21, 2016. Therefore, the 90-day review period for this plat is scheduled to expire circa February 21, 2017. However, the applicant requested referral of the rezoning request and preliminary plat to allow the final plat submitted on December 21, 2016 to catch-up to the preliminary plat. A final plat shall be approved or rejected within 60 days of submittal if determined to be in “substantial conformance” with an approved preliminary plat.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00267 and 28.022–00268, rezoning 1302-1430 Reiner Road from A to TR-C3 and TR-U1, and the preliminary plat and final plat of Woods Farm, to the Common Council with recommendations of **approval**, and find the standards met and **approve** a demolition permit for existing residences at 1318 and 1402

Reiner Road, all subject to input at the public hearing and the conditions from reviewing agencies beginning on page 11 of this report.

## Background Information

**Parcel Location:** The subject site is comprised of six parcels containing approximately 61 acres of land located on the west side of Reiner Road, approximately 3,000 feet north of Commercial Avenue (CTH T); Aldermanic District 3 (Hall); Sun Prairie Area School District.

**Existing Conditions and Land Use:** Two single-family residences at 1318 and 1402 Reiner Road and accessory farm buildings on the northern half of the site. The property is otherwise undeveloped farmland, zoned A (Agricultural District).

**Surrounding Land Use and Zoning:** The proposed subdivision is largely surrounded by undeveloped lands in the Town of Burke and City of Madison. The lands in the City are zoned A (Agricultural District).

**Adopted Land Use Plans:** The subject site is located within the boundaries of the [Northeast Neighborhoods Development Plan](#) adopted in 2009. Beginning on the southern half of the 61-acre site, the plan recommends the development of the property with low-density residential uses in Housing Mix 1. The recommended residential densities increase on the northern half of the site, with the areas of highest density surrounding the southernmost edge of a neighborhood mixed-use node primarily located just off-site at the future intersection of Reiner and Lien roads. A more detailed discussion of the residential concept in the plan and the proposed subdivision's consistency with it follow later in this report. Additionally, the [Northeast Neighborhoods Development Plan](#) recommends that a neighborhood park be developed near the center of the subject site, and identifies the northwestern corner of the site for other open space and stormwater management.

In addition to the land use, transportation, and development phasing recommendations that are customarily a part of each neighborhood development plan adopted by the City of Madison, the [Northeast Neighborhoods Development Plan](#) includes a series of sustainability goals to implemented as development within the plan boundaries occurs. Those goals include enhanced stormwater management practices; reducing water usage; efficient delivery of public services; reducing vehicle miles traveled; and reducing energy consumption by projects within the planning area. These goals and the proposed development's consistency with them will also be discussed later in this report.

The 2012 amendments to the Generalized Future Land Use Maps in the [Comprehensive Plan](#) reflect the land use and general layout recommendations of the adopted [Northeast Neighborhoods Development Plan](#).

**Environmental Corridor Status:** Two primary areas of mapped environmental corridors are located on the site. The first includes a large wooded area at the northwest corner of the site, which includes hydric inclusions adjacent to an intermittent stream primarily located just off-site. The second mapped area coincides with the park proposed in the neighborhood development plan. A third, much smaller area appears to clip the southwestern corner of the subject site, and reflects the location of another neighborhood park to serve future development in the planning area. In addition to these areas, a somewhat substantial area of field-located wetland was identified adjacent to Reiner Road during the creation of the preliminary plat. That area will mostly be dedicated to the public for stormwater management (proposed Outlot 1) and may be added to the environmental corridor inventory by an amendment to the Capital Area Regional Planning Commission. A portion of the 75-foot minimum setback will also affect Lots 6-8 of the proposed subdivision.

**Public Utilities and Services:** The subject site is located in the Central Urban Service Area and will be served by a full range of urban services upon build-out of the project. The site is located in the northern portion of Phase A of the phasing plan in the Northeast Neighborhoods Development Plan, and water and sanitary sewer mains were extended up Reiner Road by the City in 2010 in anticipation of development in this phase of the neighborhood.

The proposed development is outside Metro Transit's service area. The closest bus stop with scheduled bus service is just under 2.5 miles walking distance, and the units would be greater than the three-quarters of a mile regulatory distance from all-day scheduled bus service, which disqualifies any trips at this location for passengers who might otherwise be eligible for door-to-door paratransit service. The pedestrian access between this site and the scheduled bus service, located on either City View Drive at Burke Road (northwest) or on N. Thompson Drive at Commercial Avenue (southwest), includes at least two miles travel along the unimproved shoulders of Reiner Road and Burke Road or Commercial Avenue (posted up to 55 mph).

**Zoning Summary:** The following bulk requirements apply to the housing types proposed in the requested TR-C3 (Traditional Residential–Consistent 3) and TR-U1 (Traditional Residential–Urban 1) zoning districts:

Requirements for:	Proposed TR-C3 zoning (Permitted Uses):	Proposed TR-U1 zoning (Permitted Uses):	Proposed TR-U1 zoning (Conditional Uses):
	Single-family detached	Four-Unit Dwellings	Multi-family dwellings
Lot Area (sq. ft.)	3,000 sq. ft per lot	4,000 sq. ft per lot	1,000 sq. ft. / unit plus 300 per bedroom greater than 2
Lot Width	30'	40'	50'
Front yard setback	15'	15'	15' or block average
Maximum Front Yard Setback	No more than 20% greater than block average up to 30' maximum	No more than 20% greater than block average up to 30' maximum	No more than 20% greater than block average up to 30' maximum
Side yard setback	5' or 10% width for lots under 50' wide	6'	10'
Reversed Corner Side Yard Setback	8' (10' for garage)	12'	12'
Rear yard	Street accessed: 20' Alley-accessed: 2'	Lesser of 25% of depth or 20'	Lesser of 25% of depth or 20'
Maximum lot coverage	75%	75%	75%
Maximum building height	2 stories/35'	3 stories/40'	5stories/ 65' unless greater approved by cond. use
Usable open space (sq. ft. per unit)	500 sq. ft.	320 sq. ft.	320 sq. ft.
Building Form (per 28.172)	Single-family detached	Single-family attached or Small Multi-Family Building	Large Multi-Family Building (TBD)
<b>Other Critical Zoning Items</b>			
Yes:	Utility Easements		
No:	Barrier Free, Urban Design, Wellhead Protection, Floodplain, Landmarks, Waterfront Development		
<i>Prepared by: Tim Parks, Planning Division</i>			

## Project Description

The applicant is requesting approval of a zoning map amendment, demolition permit, preliminary plat and final plat to develop approximately 61 acres of land located on the west side of Reiner Road, approximately 3,000 feet north of Commercial Avenue (CTH T). The site of the proposed "Woods Farm" subdivision is also located approximately 650 feet south of where Reiner Road is planned to intersect the future extension of Lien Road east from its current terminus at Felland Road. The subject site is comprised of six parcels addressed as 1302 through 1430 Reiner Road, and includes two single-family residences at 1318 and 1402 Reiner, which will be demolished as part of the subdivision. The Woods Farm development calls for 131 single-family residential lots in TR-C3 (Traditional Residential-Consistent 3 District) zoning, and twelve lots to be zoned TR-U1 (Traditional Residential-Urban 1 District). Eleven of the twelve proposed TR-U1 lots will be developed with four-unit dwellings, while a 4.29-acre parcel located in the northeastern corner of the plat is identified for future multi-family development. The plat also includes four outlots to be dedicated to the public for park and stormwater management purposes.

The property is characterized by rolling terrain that generally falls to the west and east from a long ridge that extends from south to north through the site. Reiner Road is located approximately 30 to 35 feet below this ridge. The preliminary plat identifies a field-located wetland located near the center of the site's roughly 2,000 feet of frontage along Reiner Road, on the south side of the driveways that lead to the two residences and a grouping of accessory farm buildings located near the center of the property. The grade of the site also falls towards an intermittent stream primarily located just off the northwestern corner of the site, which drains to the north. The northwestern corner of the site is also characterized by a substantial woodland and soils with hydric inclusions.

The house to be demolished at 1318 Reiner Road is a two-story farmhouse that dates to 1940 according to City records, and contains 2,360 square feet of living area, including three bedrooms, one full bath and two half-baths. The house is served by a two-car attached garage as well as a detached two car garage, and there is an in-ground pool adjacent to the residence. Further north on the subject site, 1402 Reiner is a one-story ranch-style single-family residence with attached two-car garage. Staff has no information that would suggest that the demolition standards cannot be met with the request to raze the houses. The Landmarks Commission informally reviewed the demolitions at its January 30, 2017 meeting and noted that the structures had no known historic value.

Access into the Woods Farm subdivision will be provided from three east-west streets to extend west from Reiner Road, "D," "F" and "G" streets. Circulation within the subdivision will follow a uniform grid street layout. The future multi-family development will be located on Lot 1, which will primarily front onto Reiner Road, with secondary frontage along "D" Street. A 40-foot wide connection to "A" Street is also proposed. The eleven lots proposed for future four-unit dwellings will include Lots 6-8 on the south side of "D" Street opposite Lot 1, and Lots 2-5 and 140-143 on both sides of "A" Street west of Lot 1. All twelve lots will be zoned TR-U1; four-unit dwellings are permitted uses in that district, while future development of Lot 1 will require Plan Commission approval of a conditional use for multi-family dwellings or a residential building complex. The remainder of the subdivision will include the 131 single-family lots to be zoned TR-C3, with most of the lots proposed to range in size from approximately 7,800 to 9,000 square feet, with larger lot areas proposed on the block corners.

Three of the four proposed outlots will be dedicated to the City for stormwater management, including Outlots 1 and 2, which will be located along the Reiner Road frontage. The existing field-located wetland will be incorporated into Outlot 1. In the northwestern corner of the site on the north side of "D" Street, the applicant

proposes a third stormwater management tract, shown as Outlot 3, which will be located adjacent to a 4.84-acre tract proposed to be dedicated for public park, shown as Outlot 4.

## Analysis

City staff has carefully reviewed the applicant's proposal to subdivide the approximately 61-acre parcel into 131 single-family lots in TR-C3 zoning and 12 lots for future multi-family development in TR-U1 zoning and believes that the Woods Farm development can meet the standards for approval subject to conditions. However, revisions to the proposed plat are required in order for the development to be fully consistent with the recommendations with adopted plans and policies.

### Consistency with Adopted Plans

The Woods Farm subdivision will be the first large-scale development proposed within the boundaries of the [Northeast Neighborhoods Development Plan](#), which was adopted in 2009 to guide development in a future area of the City generally bounded by Interstate 94 on the south, Interstates 39/90/94 on the west, Burke Road on the north, and Door Creek and Thorson Road on the east. Most of the lands in the Phase I planning area were divided between properties in the Town of Burke and farmlands annexed to the City of Madison in anticipation of future urban development, with a smattering of land south of Commercial Avenue (CTH T) located in the Town of Blooming Grove, which have since been attached to the City. The planning area, including the subject site, is historically located in and will be served by the Sun Prairie Area School District.

The neighborhood development plan recommends development of a variety of housing types be developed within the Northeast Neighborhoods, which is intended to provide opportunities for households of different sizes, ages, incomes and lifestyles, and include opportunities for both owner-occupied and renter-occupied housing. It is generally recommended that both residential and non-residential buildings be oriented toward the street to provide definition to a block face and create a more engaging street environment. Commercial buildings located close to the sidewalk and relatively small front yards in residential areas are also recommended to help to define the block. Recommended residential land use areas are divided into four broad districts, Housing Mix 1, 2, 3 and 4, which generally include a variety of housing types recommended to be developed at increasingly higher densities. A variety of housing types and densities is expected to be developed at appropriate locations within each of the four Housing Mix districts.

In Housing Mix 1, the plan recommends predominantly single-family detached dwellings but also allows for attached housing products to be developed around eight units per acre, with some allowance for higher density within that district. It specifically recommends that single-family housing developments include a range of house types and lot sizes. Housing Mix 2 predominantly recommends single-family houses developed at relatively high densities on smaller lots, duplexes, townhouses and small-scale apartment and condominium buildings with a density of up to 16 units an acre. In Housing Mix 3 and Housing Mix 4, building types become predominantly larger multi-family structures and dense townhouse developments, with recommended densities of up to 40 and 60 units per acre possible, respectively. Development in Housing Mix 4 is recommended adjacent to planned mixed-use activity centers, with the higher densities recommended to spur the commercial development at the heart of the centers.

In the case of the subject site, all four Housing Mix districts are recommended at specific locations across the site. Beginning on the southern half of the 61-acre site, the plan recommends the development of the property with low-density residential uses in Housing Mix 1. The recommended residential densities increase on the

northern half of the site, with the areas of highest density surrounding the southernmost edge of a neighborhood mixed-use node primarily located just off-site at the future intersection of Reiner and Lien roads.

The proposed Woods Farm subdivision and TR-C3 and TR-U1 zoning requests are generally consistent with the recommended land uses and housing mixes recommended for the subject site. The TR-U1 zoning of Lot 1 is generally consistent with the Housing Mix 4 recommendation for that part of the site. The maximum density of 43 units per acre allowed by TR-U1 zoning would result in a less dense development of Lot 1 than recommended, and the Planning Division would consider a future request to more intensively zone that lot tied to a specific development proposal if staff felt that the proposal reflected the building forms and site design encouraged by the neighborhood development plan and furthered the City's ability to implement the mixed-use center recommended directly to the north. Similarly, the ring of Lot 1 with the eleven TR-U1 lots intended for development with four-unit dwellings is also generally consistent with the Housing Mix 3 recommendation but will likely result in lesser net development than recommended. For those lots, staff encourages the applicant to consider varying the building forms and densities ultimately developed to create as dense and dynamic a development as possible adjacent to and opposite the denser multi-family lot and nearby planned mixed-use node at Lien Road. Possible ways to accomplish this could include the combination of lots to create different building sizes and types; varying the unit types and garage configurations of the buildings; and employing a variety of architectural styles and material palettes.

South of "D" Street, the Planning Division believes that the proposed TR-C3-zoned single-family lots that will comprise the rest of the development should be varied to provide the range of house types and lot sizes recommended in the neighborhood development plan for the Housing Mix 1 district. Currently, the majority of these lots are proposed to be 65 feet wide and 120 feet deep (7,800 square feet), with the exception of some 71-foot wide lots along "G" Street and the easternmost block of "F" Street. [The requested TR-C3 zoning district requires a minimum 30 feet of lot width and 3,000 square feet of lot area.] Prior to recording of the final plat, staff will work with the applicant to incorporate a greater variety of lot widths to bring the project into greater conformance with the plan recommendations. Ideally, staff would like to see greater variety within the blocks currently proposed, but will consider blocks with uniform lot widths that vary block to block.

In general, the Planning Division believes that the street layout proposed for the Woods Farm development is consistent with the conceptual layout included in the neighborhood development plan with a couple of exceptions, including widening "F" Street to an 80-foot right of way consistent with the east-west collector street recommended to serve this portion of the neighborhood ("Collector B" in the plan). While the plan would allow the right of way for this collector to be a minimum of 70 feet wide, City staff feels that the wider right of way dedication will allow for deeper terraces to provide more buffer for adjacent housing from traffic on the collector, and provide a better environment for street trees. Staff also recommends that right of way be dedicated at "F" Street and Reiner Road to facilitate future construction of a roundabout at that intersection, as recommended by the neighborhood development plan, and that additional lots be turned to front onto "F" Street west of "A" Street. (The neighborhood plan indicates that driveways on Collector B are acceptable.)

Staff is also requesting that an additional east-west local street be dedicated and constructed along the northern edge of the proposed subdivision in accordance with a street recommended in the neighborhood development plan to provide a transition from the mixed-use node planned to surround the Lien -Reiner intersection in the future to the Housing Mix 4 proposed adjacent. Planning, Traffic Engineering and City Engineering staff recommend that this new right of way be 66 feet wide to accommodate on-street parking to serve the mixed-use node and high-density residential development that will abut it, as well as on-street bike lanes to connect a multi-purpose path that will be constructed across Outlot 4 to a future north-south regional multi-purpose path planned east of Reiner Road.

### Proposed Parkland Dedication

Section 16.23(8)(f)5 of the Subdivision Regulations states that “The Plan Commission, after recommendation of the Park Superintendent or Board of Park Commissioners 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 Park 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.”

As outlined in the attached memo from Eric Knepp, Parks Superintendent, dated January 30, 2017, the Parks Division believes that the outlot proposed for dedication as public parkland, Outlot 4, is unsuitable for development of public recreational amenities consistent with the adopted Park and Open Space Plan for a neighborhood park, and will not be accepted for public park dedication. The wooded terrain and steep topographical constraints will not be adequate to provide space for a level or flat open play field area. This area will also not be suitable for other recreational amenities such as a playground or basketball construction without extensive tree cutting and grading of the site. Such tree removal and extensive grading may also not be possible due to the hydric soil characteristics present in and adjacent to that corner of the site, which is recommended in the Northeast Neighborhoods Development Plan for other open space and stormwater management uses. The adjacency of the stormwater management use proposed on Outlot 3 is also a concern, as lands proposed for stormwater management cannot also be counted as parkland.

The Northeast Neighborhoods Development Plan recommends that a neighborhood park be developed near the center of the subject site. In consideration of this recommendation, the Parks Division proposes that the park dedication be provided within the area identified as Lots 63-80, which is bounded by “B,” “D,” and “F” streets and the western plat limits. Staff feels that this location is better suited for a public park that will meet the recreational needs of the development because of the less severe grades and topography, the absence of hydrologic issues, and the closer proximity to the park location as identified in the neighborhood development plan. The City Engineer has indicated that the combined area of Outlots 3 and 4 will be accepted by the City for stormwater management, and Planning staff believes that some of the “D” Street frontage currently included in those outlots could be divided into residential lots.

### Consistency with Sustainability Goals of the Northeast Neighborhoods Development Plan

In addition to the land use, transportation, and development phasing recommendations that are customarily a part of each neighborhood development plan adopted by the City of Madison, the Northeast Neighborhoods Development Plan includes a series of sustainability goals to implemented as development within the plan boundaries occurs. The City recognized that the Northeast Neighborhoods area offered a tremendous opportunity to implement its sustainability objectives. During the planning process, it was decided to pursue quantifiable sustainability goals for future development within the planning area, and the planning process for the Northeast Neighborhoods became one of the City’s *The Natural Step* projects for 2009. On March 31, 2009, the Common Council adopted a resolution with the following five sustainability goals for the area:

1. Reduce dependence on the automobile
2. Reduce energy consumption
3. Reduce water consumption

4. Increase on-site stormwater infiltration
5. Deliver City services in an energy efficient manner

These goals guided preparation of the Northeast Neighborhoods Development Plan, which is intended to serve as a guide for achieving these goals. Those goals are summarized below. A full discussion of the goals and implementation strategies for each can be found in the neighborhood development plan. As part of the approval of the Woods Farm development, the Plan Commission should consider how the project meets the stated sustainability objectives.

### *1. Reduce Dependence on the Automobile*

The first sustainability goal in the Northeast Neighborhoods Development Plan proposes to capture 25% of all trips made by persons living in the planning area by walking, bicycling or transit and/or reduce household motor vehicle miles of travel (VMT) by 25% through the use of transit-oriented development, traditional neighborhood development, mixed-use development, transit access for early neighborhood residents, transportation-demand management plans, walkable environments, bike facilities, or other transportation-demand management practices.

The Planning Division believes that this goal will primarily be achieved through the design of the individual projects developed in the Northeast Neighborhoods area and their consistency with the land use and street layout recommendations in the adopted plan, which were developed to achieve this goal over time through implementation of the highly connected transportation network recommended by the plan and its emphasis on higher density “green field” development organized around mixed-use activity centers.

As discussed earlier in the “Analysis” section of this report, staff feels that the Woods Farm project is largely consistent with the land use and street layout recommendations in the neighborhood development plan subject to the revisions requested. As additional development consistent with the adopted plan occurs surrounding the subject site, especially to the west and north, the project will become less isolated and better connected by auto and bike to more established areas of the City. However, it should be noted that Metro Transit service is currently not proximate to the development, and there is no timetable for when Metro service will be extended to serve the Northeast Neighborhoods area. [The site is a 10-minute drive and 20-minute bike ride to the East Transfer Point on Milwaukee Street.]

### *2. Reduce Energy Consumption*

The second adopted goal calls for reducing household consumption of natural gas and fossil fuel-generated electricity by 25% compared recent residential construction. Progress towards attaining these goals will be through the use of energy-efficient construction, alternative energy sources, on-site energy production, conservation education and outreach, or other energy conservation practices.

### *3. Reduce Water Consumption*

The plan seeks to reduce residential per capita water use by 25% compared to current Citywide per capita levels through the use of low-flow appliances and fixtures, dual-flow and low-flow toilets, rain barrels, low-impact lawn care design, conservation education and outreach, or other water conservation practices, and to strongly encourage the use of EPA Water Sense-labeled water fixtures, and strongly discouraging the use of outdoor lawn irrigation systems.



At this time, staff does not believe that a regulatory environment exists to *require* compliance with goals #2 and 3, which were heavily debated during the development and review of the Northeast Neighborhoods Development Plan. However, there are no ordinances that would prohibit individual compliance with these goals by the developer or future property owners in the subdivision, including through the installation of highly efficient fixtures and appliances, or rooftop solar arrays. Furthermore, technological advances in construction techniques, appliance design, and community expectations anecdotally suggest that the new construction that will occur in the Northeast Neighborhoods area will be more energy-efficient than construction that was occurring at the time the goals were established and in the decades preceding. Additionally, the Madison Water Utility has in recent years moved to automated meter reading and more frequent billing, and provides customers with access to more detailed and timely information to monitor their water usage.

#### *4. Increase On-site Stormwater Infiltration*

The neighborhood development plan set a goal of infiltrating 25% of the stormwater volume on or adjacent to points of generation through the use of rain gardens, green roofs, porous sidewalks and drives, or other on-site stormwater management practices. Infiltration of stormwater back into the ground on or adjacent to the point of generation minimizes impact on ground water supplies and could eventually help replenish the aquifer. The multiple infiltration methods can reduce erosion, reduce the infrastructure needed to handle stormwater runoff, and reduce the overall impact on surface water features.

At the time that the City petitioned the Capital Area Regional Planning Commission (CARPC) to add portions of the Northeast Neighborhoods area to the Central Urban Service Area in 2010, the following conditions were applied by CARPC Resolution 2010-1:

“1. [The City shall] submit a detailed stormwater management plan to CARPC and [Dane County Land & Water Resources Department] staff for review and approval prior to any land disturbing activities in the amendment area. The stormwater management plan should meet the following performance standards throughout the amendment area:

- a.) Install stormwater practices prior to other land disturbing activities. Protect infiltration practices from compaction and sedimentation during land disturbing activities;
- b.) Provide at least 80% sediment control for the amendment area in accordance with existing ordinances;
- c.) Control peak rates of runoff for the 1, 2, 10, and 100-year 24-hour design storms to “pre-development” levels;
- d.) Control post development runoff volumes to be equal to or less than predevelopment runoff volumes for the one-year average annual rainfall period, as defined by [Wisconsin Department of Natural Resources (WDNR)];
- e.) Maintain pre-development groundwater recharge rates based on the WGNHS study (generally 9 to 10 inches per year for this area) or site specific field data with no caps on the extent of infiltration areas;
- f.) Maintain wetland water level fluctuations within acceptable limits using criteria provided by the Minnesota Board of Water and Soil Resources 2006 and minimize the discharge of excess nutrients into the wetlands;
- g.) Provide deep tilling to restore open areas compacted during construction;
- h.) Stormwater practices should be publicly managed, or have a perpetual legal maintenance agreement finalized with the local municipal authority.

2. Conduct a field survey based on the WDNR Bureau of Endangered Species assessment and implement any recommended protection measures. Add any recommended habitat conservation areas to the environmental corridors of the amendment area.”

The CARPC resolution also recommended that the City prepare a wetland protection/restoration plan and implementation approach for the wetlands in the project area and provide a copy of the report to the CARPC for review and comment. That recommendation also asked the City to consider including areas of hydric soils adjacent to the existing wetlands in these wetland restoration areas.

This goal and implementation of the conditions imposed by CARPC will primarily be achieved through the City’s established stormwater management program through the City Engineering Division, which oversees the Stormwater Utility as well as manages the development agreements that the City routinely enters into with developers to implement the public infrastructure required to serve a private development proposal. Subsequent to adoption of the Northeast Neighborhoods Development Plan and the CARPC resolution approving the CUSA amendment that includes the subject site, City ordinances and policies have been revised to effectively require the conditions imposed by CARPC to be required of most developers around the City. The Plan Commission will note those conditions are reflected in the final section of this report.

Additionally, City Engineering and Planning staff are recommending a condition of approval that requires the applicant to work with the City to explore possible “distributed infiltration” practices as part of the means to meet the infiltration requirements identified under Chapter 37, MGO, Northeast Neighborhood Development Plan, and those recommended in the CARPC approving resolution. These methods could include but would not be limited to: rain gardens installed to serve a “block of lots”, pervious pavement, depressed terraces, rain barrels and/or other methods. These “distributed” practices would be used in coordination with regional, plat-level practices.

#### *5. Energy Efficient Service Delivery*

This goal encourages the City to deliver services in the most energy efficient method possible to decrease energy consumption and reduce air and water pollution through sustainable design and land use planning.

Initially, the subject site will be isolated from other developed properties served by the City, with the exception of water and sanitary sewer service, which were extended up Reiner Road in 2010 to the serve the initial phases of the Northeast Neighborhoods area, including the proposed subdivision. Staff anticipates that greater service efficiencies will be achieved as additional lands in the neighborhood are developed and more street connections are available.

## **Conclusion**

The applicant is requesting approval a zoning map amendment, demolition permit, and the preliminary plat and final plat of “Woods Farm” to subdivide the approximately 61-acre parcel on the west side of Reiner Road in the Northeast Neighborhoods planning area into 131 single-family lots in TR-C3 zoning and 12 lots for future multi-family development in TR-U1 zoning. The plat also proposes to dedicate three outlots to the City for stormwater management and one outlot for public parkland.

Following careful review and interagency coordination, staff believes that the proposed subdivision can meet the standards for approval subject to an extensive series of conditions intended to bring the development into fuller conformance with City ordinances and the adopted Northeast Neighborhoods Development Plan. Those

conditions include revisions to the proposed street network to better reflect the street pattern proposed in the neighborhood development plan; relocation of the proposed parkland dedication to a location acceptable to the Parks Division and sized to meet the subdivision's parkland dedication requirements; and increasing the lot size variety in the TR-C3-zoned portion of the plat consistent with the housing mix guidelines in the neighborhood development plan. As part of the approval of the Woods Farm development, the Plan Commission should also consider how the project meets the sustainability objectives adopted as part of the Northeast Neighborhoods Development Plan.

## Recommendation

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

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022-00267 and 28.022-00268, rezoning 1302-1430 Reiner Road from A to TR-C3 and TR-U1, and the preliminary plat and final plat of Woods Farm, to the Common Council with recommendations of **approval**, and find the standards met and **approve** a demolition permit for existing residences at 1318 and 1402 Reiner Road, all subject to input at the public hearing and the conditions that follow.

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

### Conditions Jointly Required by the Planning Division, City Engineering Division and Traffic Engineering Division

1. As required by the Planning Division, City Engineering Division and Traffic Engineering Division, the applicant shall revise the preliminary plat and final plat as follows prior to final approval of the plat for recording:
  - a. Dedicate 60 feet of right of way as measured from the centerline of Reiner Road from "D" Street south to the southern plat limits;
  - b. Dedicate 66 feet of right of way as measured from the centerline of Reiner Road from "D" Street north to the northern plat limits;
  - c. Revise the right of way for "F" Street to be a minimum of 80 feet wide the length of the plat.
2. The applicant shall dedicate and construct a 66-foot wide public right of way between "A" Street and Reiner Road to reflect the east-west local street shown in the Northeast Neighborhoods Development Plan. The proposed street width reflects the multi-family development proposed to be developed in the future on Lot 1, as well as the neighborhood mixed-used development anticipated to occur on lands to the north of the proposed subdivision. The proposed right of way width will also accommodate on-street bike lanes to connect the multi-purpose path required by condition #3 to with a north-south regional multi-purpose path planned east of Reiner Road.
3. The applicant shall dedicate/identify a 20-foot wide easement to the public for a multi-purpose path from "A" Street west through proposed Outlot 4 per an alignment approved prior to final approval and recording of the plat. The applicant shall construct the path according to plans approved by the City Engineer.
4. The final plat shall be revised to show a 40-foot building setback line for Lots 1, 2, 6, 21, 22, 33, and 34 parallel to Reiner Road. A note shall be placed on the final plat that states as follows: "No principal or accessory buildings or structures (pools, gazebos, etc.) shall be permitted between the right of way and setback line."

5. The applicant shall dedicate right of way for a future roundabout at the intersection of "F" Street and Reiner Road as recommended by the Northeast Neighborhoods Development Plan.

**Conditions Jointly Required by the Planning Division and City Engineering Division**

6. The applicant shall submit the wetland delineation for the area contained in proposed Outlot 1 review prior to final approval of the plat for recording. A minimum 75-foot setback from the wetland shall be noted accordingly on the final plat prior to recording.
7. In accordance with Capital Area Regional Planning Commission Resolution 2010-1 approving the Central Urban Service Area amendment to serve the Northeast Neighborhoods area, the applicant shall prepare a wetland protection/restoration plan and implementation approach for the wetlands in the project area. The plan shall include areas of hydric soils adjacent to existing wetlands in the wetland restoration area.
8. The developer shall work with City Engineering to explore possible distributed infiltration practices as part of the means to meet the infiltration requirements identified under Chapter 37, MGO, Northeast Neighborhood Development Plan, and those referred to in the CARPC approving resolution. These methods could include but would not be limited to: rain gardens installed to serve a "block of lots", pervious pavement, depressed terraces, rain barrels and/or other methods. These distributed practices would be used in coordination with regional plat-level practices.

**Planning Division**

9. That prior to final approval and recording of the final plat, the applicant shall work with the Planning Division and Capital Area Regional Planning Commission to revise the environmental corridor map to reflect the approved subdivision, including modifications to the map to reflect disposition of the public park shown on the neighborhood development plan and the field-located wetland in Outlot 1.
10. That there be no vehicular access to Reiner Road for Lots 2, 6, 21, 22, 33, and 34. The access restriction shall be shown graphically on the face of the final plat and include a note acknowledging that no vehicular access shall be granted for those lots.
11. Prior to final approval of the plat for recording, the applicant shall work with the Planning Division to reduce the uniformity of proposed single-family lots and increase lot size variety as recommended by the Northeast Neighborhoods Development Plan. As part of this lot reconfiguration, additional lots should be turned to front onto "F" Street.
12. The applicant shall work with the Parks Division and Planning Division to relocate the proposed neighborhood park from its current proposed location to the area recommended in the Parks Division memo dated January 30, 2017. [The City Engineer has indicated that the combined area of Outlots 3 and 4 will be accepted by the City for stormwater management.]

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

**City Engineering Division** (Contact Brenda Stanley, 261-9127)

13. The applicant shall provide proof of septic system abandonment from Public Health-Madison and Dane County as a condition of plan approval.
  14. The west half of the proposed plat does not drain toward Reiner Road. The applicant shall plan to regrade land to drain towards Reiner Road, plan to install a temporary lift station, or plan to hold off on improving the lots on the west part of the plat until sewer is available.
  15. A portion of this plat drains to the west toward the Starkweather Creek watershed. It crosses multiple private properties before arriving at Starkweather Creek proper as identified by the WDNR. The City has no easement agreements with these property owners. As a result this portion of the development is subject to additional stormwater treatment including no increase in volumetric discharge over existing conditions in all events up to and including the 10-year event.
  16. The developer shall delineate the existing wetland immediately to the south of the existing drive access to the site. That delineation shall be provided to the City of Madison and shown on the face of the plat. The developer shall be aware that standard CARPC requirements include a 75-foot setback from the delineated wetland boundary.
  17. The proposed sanitary sewer reaches depths greater than 20 feet, which are not acceptable. The applicant shall revise plans to make sewer depths less than 20-foot depths throughout the development.
18. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
  19. 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 Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
  20. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. This property is subject to Sanitary Connection charges for the Northeast Neighborhood Sanitary Sewer Improvement Impact Fee District.
  21. The construction of this project will require that 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. Note: Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.
  22. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL Zone. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR in order to comply with TMDL limits.

23. A minimum of 2 working days prior to requesting City Engineering Division signoff on the CSM, the applicant shall contact either Tim Troester at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley at 261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
24. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including SLAMM DAT files, RECARGA files, TR-55/HYDROCAD/Etc., and Sediment loading calculations. 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).
25. 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.
26. 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 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.

27. 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.”

28. The applicant shall demonstrate compliance with Sections 37.07 and 37.08 of 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 5.0 tons per acre per year.
29. Prior to approval, this project shall comply with Chapter 37 of 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; detain the 2-, 10-, and 100-year storm events, matching post development rates to predevelopment rates; provide infiltration in accordance with MGO Chapter 37; 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 of Madison General Ordinances.
30. 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.
31. The developer shall construct Madison Standard street, bike path and sidewalk improvements for all streets within the plat.
32. The developer shall note the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat.
33. The developer shall confirm that adequate sight distance exists where public streets intersect. If adequate sight distance does not exist, the developer shall change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make other mitigating improvements as required by the City.
34. The developer shall construct sidewalk on the west side of Reiner Road along the plat limits.

35. The developer shall note that City funds for park frontage are limited and will be determined at the sole discretion of the City.
36. The developer shall make improvements to Reiner Road to facilitate ingress and egress to the plat. The improvements indicated above may require right of way outside of the plat.
37. This development is subject to impact fees for the Northeast Neighborhood Impact Fee District/ Northeast Neighborhood Sanitary Sewer Improvement Impact Fee District. All impact fees are due and payable at the time building permits are issued. The following note shall put the face of the plat: "Lots/ buildings within this subdivision / development are subject to impact fees that are due and payable at the time building permit(s) are issued."
38. The plat is subject to the Northeast Neighborhood Impact Fee District. The applicant shall provide the City with a spreadsheet of the lots and associated lot areas and respective unit counts for the plat in order for the City to create the impact fee schedule.
39. 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](mailto:bbemis@cityofmadison.com)) for review.
40. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: a) Building Footprints; b) Internal Walkway Areas; c) Internal Site Parking Areas; d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); e) Right-of-Way lines (public and private); f) Lot lines or parcel lines if unplatted; g) Lot numbers or the words unplatted; h) Lot/Plat dimensions; i) Street names; j) Stormwater Management Facilities; k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

**City Engineering Division – Mapping Section** (Contact Jeff Quamme, 266-4097)

41. The 40-foot and 10-foot Utility Easements per Document No. 2754753 shall be released by separate document prepared by City Office of Real Estate Services prior to final plat sign-off. The applicant shall 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 (266-4097) ([jrquamme@cityofmadison.com](mailto: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. Applicant shall also provide recorded copies of the easement release from the other utilities serving this area. The preliminary plat shall denote this easement "to be released".
42. The applicant shall release the 50-foot wide Ingress-Egress Easement per Document No. 3261794, the 66-foot wide Common Driveway Easement per Document No. 2754753 and the Access Easement per Document No. 1605053 prior to final plat sign off. The preliminary plat shall note these easements "to be released".



43. The applicant shall coordinate and provide a copy of the release of the right-of-way to MG&E per Document No. 2424529 prior to final plat sign off. The preliminary plat shall note this easement "to be released".
  44. The drainage arrow note shall be removed from the preliminary and final plats. The arrows shall be removed from the final plat. The standard drainage easement language provides the required public drainage easements and also requires a storm water management plan to be placed on file with the City Engineer and Zoning Administrator that defines the required drainage patterns.
  45. Modify the Standard Note and label for Public Utility Easements on the preliminary and final plat to include the following: Public Utility Easements as herein set forth are for the use by Public Bodies and Private Public Utilities having to right to serve the area. The word "Public" shall be added to all references on the plat to the Utility Easements.
  46. The applicant shall provide a temporary turnaround easement at the north end of Miah Drive. The configuration of the easement shall be coordinated with City Engineering staff. Contact Jeff Quamme for the required easement language.
  47. Street names as shown on the final plat submitted are not approved. The only new street name that is acceptable is "Griffin." Proper names are against policy for new street names. Submit potential street names to Lori Zenchenko for approval, Lzenchenko@cityofmadison.com.
48. All text referring to the "Environmental Corridor" as noted on several Outlot dedications shall be removed on the preliminary plat and final plat.
  49. The plat requires new Public Storm Sewer and Bike Pedestrian Path easements to be granted on the face of the final plat. Contact Engineering (Jeff Quamme-jrquamme@cityofmadison.com) to receive the appropriate easement terms/conditions language for inclusion on this plat.
  50. All of the "recorded as" data shall be provided on the exterior boundary of the preliminary and final plat. This includes deeds of record, CSMs and adjacent record data.
  51. Identify the owner and/or benefiting interest of all easements. Include any and all language required to properly and legally create any easement by the plat, including language setting forth rights and responsibilities for the use of the easement. This includes the Landscape Buffer Easement along the west right of way of Reiner Road.
  52. 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.
  53. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat 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 WisDOT

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: 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.

54. This pending final plat application shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded plat is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in the parcel database so that the permitting system can upload this data and permit issuance made available for this new land record.
55. The standard language per MGO 16.23(9)(d)2.a. has been provided on the plat. By doing this, all of the previous non-exclusive easements for drainage easements by previously approved land divisions are released and new drainage easements will be defined by the current proposed final plat.
56. The Storm Sewer and Public Utility Easement behind Lots 105-107 and 90-92 and also along the south side of Lot 44 on the final plat shall not run longitudinally on top of one another. They shall be separated on the final plat to avoid dry utilities running over the top of storm sewer pipe along its length.
57. Ownership per title information provided shows Wood Madison Corp. as the owner. Either correct the Owner's Certificate or provide updated title information confirming conveyance of the property to Northpointe Construction Inc. prior to final plat sign-off.
58. The required wetland buffers shall be shown and dimensioned on the preliminary and final plats.
59. The new areas of dedication for Reiner Road shall be labeled as Reiner Road. All of the street dedication labels shall have "for public street purposes" added.

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

60. Utility easements shall be provided on the final plat according to a detailed plan provided by the City Traffic Engineer. The applicant shall show a detail drawing of the 12-foot utility easement dimensions and lot lines on the face of the final plat.
61. The developer applicant shall execute and return a declaration of conditions and covenants (DCC) for streetlights and traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs. If the DCC is not executed, the applicant shall pay a \$30.00 fee which is payable to the City of Madison Treasurer to be delivered or mailed to: Eric Halvorson, Traffic Engineering Division; P.O. Box 2986; Madison, Wisconsin 53701-2986

**Zoning Administrator** (Contact Jenny Kirchgatter, 266-4429)

62. Section 28.185(7)(a)5 requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682). Section 28.185(10) requires that every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5 shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
63. Approval of the demolition permit will require the removal of all structures including the principal buildings, accessory buildings, driveways and aprons. The driveway aprons shall be removed and replaced with curb and gutter as per City of Madison Engineering and Traffic Engineering requirements. During demolition and prior to curb and gutter, barriers shall be installed across the driveways to prevent the parking of vehicles. Disturbed areas shall be graded and seeded or sod planted to minimize erosion.
64. Identify qualifying usable open space areas as required in the requested TR-C3 and TR-U1 zoning districts to be reviewed prior to obtaining zoning approval for each building permit. Usable open space shall be at ground level in a compact area of not less than two hundred (200) square feet, with no dimension less than eight (8) feet and no slope grade greater than ten percent (10%). Usable open space shall be outside of a required front or corner side yard, as extended to the rear lot line. Usable open space shall not include areas occupied by buildings, driveways, drive aisles, off-street parking, paving and sidewalks, except that paved paths no wider than five (5) feet, and pervious pavement may be included as usable open space.

**Fire Department** (Contact Bill Sullivan, 261-9658)

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| <ol style="list-style-type: none"><li>65. 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)."</li><li>66. An upgrade to include a fire sprinkler system with a cost estimate shall be made available for all initial single- or two-family home sales.</li></ol> |
|--|
67. Please consider allowing the Madison Fire Department to conduct training sequences prior to demolition. Contact Division Chief Tracy Burrus of the MFD Training Division at tburrus@cityofmadison.com or (608)213- 4176 to discuss possibilities.

**Water Utility** (Contact Adam Wiederhoeft, 261-9121)

68. There are private well(s) currently serving existing parcels included in this application. As required in the associated demolition request application (LNDUSE-2016-00135), all existing private wells must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance Section 13.21 prior to proceeding with demolitions or development of the property. Please contact Water Utility staff at 266- 4654 for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs.

69. All public water mains and water service laterals shall be installed by a standard City of Madison Subdivision Contract. The applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information

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

This agency did not provide conditions of approval for this request.

**Parks Division** (Contact Janet Schmidt, 261-9688)

→ See attached January 30, 2017 memo from Eric Knepp, Parks Superintendent

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

70. At the time of final plat approval, the Owner's Certificate 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 approval sign-off.

71. At time of final plat approval, a certificate of consent for all mortgagees/vendors shall be executed. 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.

72. A Consent of Lessee certificate shall be included on the plat for any tenancy in excess of one year, recorded or unrecorded, and executed by said tenant prior to agency plat approval sign-off.

73. All consents and certifications for any holder of interests in the subject lands shall conform with Wis. Stats. 236.21(2) and 236.29, i.e., to include the language "...surveyed, divided, mapped and dedicated..."

74. For parcels located within the City of Madison, a Madison Common Council Certificate shall appear as follows:

Resolved that this plat known as \_\_\_\_\_ located in the City of Madison was hereby approved by Enactment Number \_\_\_\_\_, File ID Number \_\_\_\_\_, adopted on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said plat to the City of Madison for public use.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Maribeth L. Witzel-Behl, City Clerk  
City of Madison, Dane County, Wisconsin

75. The following City of Madison Treasurer Certificate shall appear on the final plat:

I, \_\_\_\_\_, being the duly appointed, qualified and acting Treasurer of the City of Madison, Dane County, Wisconsin, do hereby certify that, in accordance with the records in my office, there are no unpaid taxes or unpaid special assessments as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ on any of the lands included in the plat of \_\_\_\_\_.

\_\_\_\_\_  
David Gawenda, City Treasurer  
City of Madison, Dane County, Wisconsin

- 76. A certificate for the Dane County Treasurer similar to the City of Madison Treasurer Certificate above shall appear on the plat.
- 77. A certificate for the Dane County Register of Deeds to enter time, date and recording information shall appear on the plat.
- 78. An Environmental Site Assessment is required because of the public dedications.
- 79. 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.
- 80. Pursuant to Madison City Ordinance Section 16.23(5)(e)1 and Wis. Stats. 236.21(3), all special assessments, including accrued interest in the case of delinquencies, shall be paid by the owner prior to plat approval sign off. Receipts for payment shall be provided to the City's Office of Real Estate Services in advance of plat approval sign-off.
- 81. Please coordinate with Tim Troester (608-267-1995) or Brenda Stanley (608-261-9127) in the City Engineering Division to obtain any outstanding storm water management fees from the City of Madison Water Utility. Receipts for the payment of the prorated fee shall be presented prior to plat approval sign-off.
- 82. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish to the City's Office of Real Estate Services (ORES), as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (August 19, 2016) and the date when sign-off approval 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.

83. 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 when the final plat is submitted.
  - b.) Depict, name, and identify by document number all existing easements cited in record title.
  - c.) Correct the typo in the label near proposed Lots 140 and 141, in which the document number pertaining to the 10-foot utility easement should be Document No. 2424529.
  - d.) Carry over all applicable Notes and easements from prior CSMs 8175 and 9866.
  - e.) Correctly depict the limits of the 50-foot ingress/egress easement over proposed Outlot 4, as there appears to be a portion missing.
  - f.) If any easement of record is no longer required to serve the subject property, the owner shall coordinate with City Engineering and ORES for the recording of release documents for said items prior to final plat approval sign-off. This includes the recording of release documents for those public utility companies having rights to use and occupy said public utility easements set forth by the prior CSMs.
  - g.) Include Notes on the plat describing all agreements and covenants of record. If any of these documents are no longer applicable for the subject property, the owner shall provide copies of recorded release documents for said items prior to final plat approval sign-off.
  - h.) Depict and dimension all existing improvements including, but not limited to: buildings, drives, parking lots, encroachments, wells, septic systems, etc. associated with the lands described for the proposed plat. Label any improvements that will be demolished.
  - i.) For properties not connected to municipal utility services, consider whether or not well abandonment ref. NR 141 needs to be addressed.
  - j.) The plat review application states there are 5 outlots, but only 4 are labeled. Please clarify the number of outlots intended to be included in the plat and clearly label said outlots.
  - k.) If the lands within the plat boundary are farmed agricultural lands, with such use continued until development, the applicant shall enter into a lease with the City for those lands to be dedicated and/or conveyed to the City through Plat recording. Please contact Heidi Fischer at 264-9297 to discuss the potential lease terms.