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

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December 5, 2018

Mike Calkins & Eric Lindaas
Snyder & Associates
5010 Voges Road
Madison, Wisconsin 53718

RE: Approval of a request to rezone 6510 Cottage Grove Road from A (Agricultural District) to CC-T (Commercial Corridor–Transitional District) and TR-U1 (Traditional Residential–Urban 1 District) and approval of a Certified Survey Map (CSM) to create one lot for future residential development in TR-U1 zoning, two lots for future commercial development in CC-T, and one outlot for stormwater management (Vic Villacrez, CGRD, LLC (Hovde Properties))

Gentlemen;

At its December 4, 2018 meeting, the Common Council **conditionally approved** your client's zoning map amendment request and the Certified Survey Map of land generally addressed as 6510 Cottage Grove Road subject to the following conditions of approval to be addressed prior recording of the CSM:

Please contact Brenda Stanley of the City Engineering Division at 261-9127 if you have questions regarding the following nineteen (19) items:

1. The applicant shall make improvements to Cottage Grove Road in order to facilitate ingress and egress to the development. The improvements shall include an eastbound left-turn lane.

2. The applicant shall construct sidewalk to a plan issued by the City Engineer along Cottage Grove Road from future Sprecher Road to existing S. Sprecher Road; S Sprecher Rd from Cottage Grove Road to Kilpatrick Lane; future Sprecher Road from existing S. Sprecher Road to Cottage Grove Road; and along both sides of Kilpatrick Lane from existing S. Sprecher Road to future Sprecher Road.

3. The applicant shall construct street improvements as required by the City Engineer as follows: the full width of Kilpatrick Lane between existing S. Sprecher Road and future Sprecher Road; half the width of future Sprecher Road between Kilpatrick Lane and Cottage Grove Road; and four feet of pavement, curb and gutter for S. Sprecher Road from Cottage Grove Road to Kilpatrick Lane. No improvements are requested for Cottage Grove Road.

4. The applicant shall provide a stormwater management plan to City Engineering for review. It is not clear based on this CSM how drainage requirements are being addressed on the individual lots being created. If the stormwater management is not entirely managed on the outlot, then the following note shall be added to the CSM: "All lots created by this Certified Survey Map are individually

responsible for compliance with Chapter 37 of Madison General Ordinances in regard to storm water management at the time they develop."

5. A minimum of two (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).

6. 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 of the WDNR at 273-5612 to discuss this requirement.

7. Remove the note regarding drainage arrows and elevations from page 1 of 6.

8. Remove note 1 on page 4 of 6 referencing non-exclusive drainage easements.

9. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the CSM.

10. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.

11. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to City Engineering sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. This property is subject to Sanitary Connection charges for the Door Creek Southern District.

12. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees.

13. The developer shall enter into a City/Developer agreement for the installation of public improvements required to serve this plat/ CSM. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this CSM without the agreement executed by the developer. [Obtaining a developer’s agreement generally takes approximately 4-6 weeks, minimum.]

14. The applicant shall execute a waiver of notice and hearing on the assessments for future improvements to Cottage Grove Road as required by the City Traffic Engineer in accordance with Section 66.0703(7)(b) Wisconsin Statutes and MGO Section 4.09.

15. The approval of this zoning approval does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer.

16. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.

17. The developer shall confirm that adequate sight distance exists at the intersection of future Sprecher Road and Cottage Grove Road. 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.

18. A Phase 1 environmental site assessment (per ASTM E1527-13), is required for lands dedicated to the City. The applicant shall provide one (1) digital copy and staff review will determine if a Phase 2 ESA is also required. Submit report(s) to Brynn Bemis (608-267-1986, bbemis@cityofmadison.com).

19. The lots within this Certified Survey Map are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the CSM, and recorded at the Dane County Register of Deeds.

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following nine (9) items:

20. Revise the boundary created by the vision triangle to correctly create a 150-foot by 150-foot vision triangle in the southwest corner of this CSM. The existing property corners do not correctly represent the right of way. Also make any correction needed to the legal description under the Surveyor's Certificate.

21. Provide the required recorded as information on the exterior boundaries as per the deeds of record and the plat of First Addition to Reston Heights.

22. Dimension size and location for the easements per Document Nos. 3328455 and 3585816.

23. Add text to the label for the easement per Document No. 3585816 that the Easement has been assigned to ATC per Document No. 4202339.

24. The westerly "South Sprecher Road" segment shall be revised to read "Sprecher Road." Revise all sheets accordingly. The intent is to have Sprecher Road for the north-south segment between Sharpsburg Drive/ Wyalusing Drive and E. Buckeye Road.

25. This pending CSM 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 CSM image 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.

26. Prior to final Engineering sign-off by the main office for Certified Survey Maps (CSM), the final 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 (2) working days prior to final Engineering Division sign-off. Electronic mail submittal of the FINAL CSM in PDF form is preferred; transmit to jrquamme@cityofmadison.com.

27. 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 Jeff Quamme, 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.

28. 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 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 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 CSM: 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 from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final CSM, 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.

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

29. The applicant shall provide a cross-access agreement between Lots 2 and 3.

30. The applicant shall install a physical barrier of substantial material and construction to prevent vehicular movements onto and off of adjacent sites, or provide an executed copy of a cross-access agreement.

31. Prior to final sign-off, the applicant shall work with the Traffic Engineering Division Electrical Section to record the necessary easements for streetlights.

Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following four (4) items:

32. Any outstanding water main assessments or water main connection charges shall be paid by the developer prior to connecting to the existing water distribution system – contact Adam Wiederhoeft of Madison Water Utility (awiederhoeft@madisonwater.org or 266-9121) to determine if outstanding fees exist for the subject parcels.

33. All public water mains and water service laterals shall be installed by a standard City subdivision contract/ City- Developer agreement. The applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.

34. The developer shall construct the public water distribution system and services required to serve the proposed CSM per MGO 16.23(9)(d)(3).

35. The Madison Water Utility will be required to sign off as part of the approval review associated with this Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development.

Please contact Kathleen Kane of the Parks Division at 261-9671 if you have any questions regarding the following two (2) items:

36. The following note should be included on the CSM: “Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued.” The Parks Division will be required to sign off on this CSM prior to recording.

37. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the East Park-Infrastructure Impact Fee district. Please reference ID# 18156 when contacting Parks Division staff about this project

Please contact my office at 261-9632 if you have questions about the following item:

38. Note: Approval of this Certified Survey Map confers no approval or endorsement of the future proposed use Lots 1-3, which shall require separate zoning approvals prior to issuance of building permits.

Please contact Heidi Radlinger of the Office of Real Estate Services at 266-6558 if you have any questions regarding the following five (5) items:

39. A Consent of Lessee shall be included for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to CSM sign-off.

40. An Environmental Site Assessment is required for any lands being dedicated for right of way.

41. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger in City's Office of Real Estate Services (hradlinger@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (June 29, 2018) submitted with the CSM application and include all associated documents that have been recorded since the initial title report. The surveyor shall update the CSM with the most recent information reported in the title update.

42. The owner shall email the document number of the recorded CSM to Heidi Radlinger as soon as the recording information is available.

43. The CSM shall be revised as follows prior to final approval and recording:
    a.) Indicate electric easement has been reassigned per Document No. 4202339.
    b.) Give dimensions of easements per Document Nos. 3328455 and 3585816.
    c.) Depict and dimension public easements for utilities and stormwater drainage rights-of-way to be dedicated on the proposed CSM where necessary.

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 as verified with a completed affidavit form (attached), the original along with the revised Certified Survey Map, 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 certified survey at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 266-4141.

Prior to City Engineering final sign-off by the main office of the CSM, the final CSM shall be submitted to the 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 signoff. E-mail submittal of the final CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.

The owner shall email the document number of the recorded CSM to Jenny Frese at the City's Office of Real Estate Services as soon as the recording information is available.

Any appeal from this action, including the conditions of approval, must be filed with the Circuit Court within 30 days from the date of this letter. **The approval of this CSM shall be null and void if not recorded in twelve (12) months from the date of the approving resolution or this letter, whichever is later.**

If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division–Mapping Section
Jenny Kirchgatter, Assistant Zoning Administrator
Adam Wiederhoeft, Madison Water Utility
Sean Malloy, Traffic Engineering Division
Kathleen Kane, Parks Division
Heidi Radlinger, Office of Real Estate Services