



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

Madison Municipal Building, Suite 017
215 Martin Luther King Jr. Boulevard
Madison, Wisconsin 53703
Phone: (608) 266-4635
www.cityofmadison.com

August 7, 2020

Dan Day & Brett Stoffregan
D'Onofrio Kottke & Associates
7530 Westward Way
Madison, Wisconsin 53717

RE: Approval of a request to rezone land generally addressed as 8355 Mansion Hill Avenue from Temp. A (Agricultural District) to TR-U2 (Traditional Residential–Urban 2 District) and PR (Parks and Recreation District); and approval of the preliminary plat and final plat of *Springs at Pleasant View* subdivision to create three lots for multi-family development, one outlot for public stormwater management, one outlot for public parkland, and one outlot for future development or dedication (Randall A. Theis Trust and Theis Trust/ Continental Properties Company, Inc.). [ID 60906 and 60685; LNDSP-2020-00004]

Gentlemen;

At its August 4, 2020 meeting, the Common Council **approved** the zoning map amendment and *Springs at Pleasant View* subdivision subject to the conditions of approval in the following sections, which shall be addressed prior to final approval and recording of the final plat of the subdivision.

Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following twenty-five (25) items:

1. This area is part of the Upper Badger Mill Creek watershed, which has an approved watershed plan. This plan calls for 18.7 acre-feet of regional detention to occur on this site. The developer shall work with Engineering and Parks to address this need separate from the detention required for the development of the site.
2. Enter into a City / Developer agreement for required infrastructure improvements. The agreement shall be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.
3. Construct Madison Standard street and sidewalk improvements for all streets within the plat.
4. Construct sidewalk along S Pleasant View Road according to a plan approved by City Engineer.
5. Construct multi-use path through Outlot 2 and Outlot 3 to a plan approved by City Engineer.
6. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.

7. This development is subject to impact fees for the Upper Badger Mill Creek Stormwater Improvement Impact Fee District. All impact fees are due and payable at the time building permits are issued (MGO Ch. 20). Add the following note on the face of the plans: "Lots/ buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued."
8. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
9. All outstanding 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. This property is subject to Sanitary Connection charges for the Valley Ridge Interceptor Assessment District.
10. Provide proof of septic system abandonment from Public Health–Madison and Dane County as a condition of plan approval.
11. An Erosion Control Permit is required for this project.
12. A Storm Water Management Report and Storm Water Management Permit is required for this project.
13. A Storm Water Maintenance Agreement (SWMA) is required for this project.
14. Submit a soil boring report that has been prepared by a Professional Engineer two weeks prior to recording the final plat to the City Engineering Division indicating the ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9 feet below proposed street grades, a restriction shall be added to the CSM, as determined necessary by the City Engineer.
15. Confirm that adequate sight distance exists where public streets intersect per AASHTO design standards for intersection sight distance. If adequate sight distance does not exist, change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make other mitigating improvements as required by the City. The improvements indicated may require right of way outside of the CSM limits.
16. Remove concrete apron and median cross over on S Pleasant View Road and restore with topsoil, seed, and curb and gutter as required by City Engineer.
17. Provide calculations for the 500-year storm event, as identified in Madison General Ordinance Chapter 37, as part of the plat design and stormwater management plan. The flows from this design storm event will be routed through the development and used to determine an anticipated safe top of concrete foundation elevation for future buildings in critical areas.
18. Submit proposed lot corner grades with the stormwater management plan as these two items must be reviewed together to properly determine stormwater overflow conditions. Prior to the issuance of building permits, submit a master stormwater drainage plan with final as-built lot corner grades.

These grades may be modified from the originally proposed grades provided they continue to meet design tolerances. No building permits shall be issued prior to City Engineering's final approval of this plan.

19. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval..
20. Demonstrate compliance with MGO Section 37.07 and 37.08 regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
21. This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional Wisconsin Department of Natural Resources (WDNR), Public Health—Madison and Dane County, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
22. This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.
23. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by MGO Chapter 37.
24. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
25. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Storm Water Management Plan and Report shall include compliance with the following:
 - Report: Submit prior to plan sign-off, a stormwater management report stamped by a PE registered in the State of Wisconsin.
 - Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering.
 - Rate Control: Detain the 2-, 10-, and 100-year storm events, matching post-development rates to pre-development rates and using the design storms identified in MGO Chapter 37.
 - Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.

TSS Redevelopment with TMDL: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

TSS Redevelopment not TMDL: Reduce TSS by 40% (control the 20-micron particle) off of new paved surfaces as compared to no controls.

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

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

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

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

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

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have any questions regarding the following thirteen (13) items:

26. Grant a Public Sanitary Sewer Easement to the City over a southern portion of Lot 1 to provide a minimum width of 10' north of the center of the existing sanitary sewer main that is very near the south line of said Lot 1. Contact Jeff Quamme of the Engineering Mapping Section (266-4097, jrquamme@cityofmadison.com) for the final required language.
27. Grant a Public Storm Sewer Easement to the City over the west side of Lot 1 on the face of this plat of adequate width to accommodate the planned public storm sewer to discharge from the west end of Mansion Hill Ave south to Outlot 1. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 266-4097) for the final required easement language.
28. The applicant shall provide a map and exhibit encompassing the proposed public sidewalk improvements for the City to prepare a Declaration of Public Sidewalk Easement over Outlots 3 and 4 of Midtown Commons.
29. Grant a Public Sidewalk and Bike Path Easement to the City over the entirety of Outlot 2. Outlot 3 shall have a note that a upon any future development, an Easement for Public Sidewalk and Bike Path shall be granted to the City a no cost at a location approved by the City of Madison. Contact Jeff Quamme for required text to be added to the plat.
30. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final plat.
31. The applicant shall provide a map and exhibit encompassing the proposed public street improvements for the City to prepare a Declaration of Public Right of way over City owned lands per Document No. 3127793.

32. Outlot 3 of this plat shall be prohibited from further private development until it is further subdivided into a lot or lots and developed in conformance with a City of Madison approved preliminary plat and final plat/land division recorded at the Dane County Register of Deeds. Outlot 3 may be improved for a public use upon ownership by the City of Madison.
33. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com).
34. Prior to Engineering final sign-off by main office for final plats, the plat shall be submitted in PDF format by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
35. The north line of existing Mansion Hill Avenue where it intersects the west line of this plat shall be monumented and dimensioned as required by statute.
36. Add recorded as information of N 01°26'54" E for the west line of the plat and correct the southeasterly most line of Outlot 1 to S 52°04'14" W.
37. The pending subdivision for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to Zoning and Building Inspection staff prior to issuance of building permits for new construction.
38. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work shall be void of gaps and overlaps and match the final recorded CSM: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).

*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any submittal.

Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following two (2) items:

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

40. 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.

Please contact Sarah Lerner of the Parks Division at 261-4281 if you have any questions regarding the following thirteen (13) items:

41. On the preliminary and final plat application submitted May 20, 2020 the applicant proposes to dedicate approximately 5.06 acres of public park. It is anticipated that an additional 3.05 acres (identified as Outlot 3) may be dedicated for public purposes in the future.
42. The preliminary plat, as currently proposed, includes three lots for future multi-family units. The parkland dedication requirement for a multifamily unit is 734 square feet per MGO Sec. 16.23(8)(f) and 20.08(2). The total dedication requirement as proposed is approximately 5.06 acres. Final unit counts will determine required dedication and/or final Park-Land impact fees. Outlot 2 currently satisfies the parkland dedication that would be required for 300 multi-family units. Outlot 3 currently would satisfy the parkland dedication that would be required for 181 multi-family units if fully dedicated and the land was suitable for this use.
43. The Amendment to the High Point-Raymond Neighborhood Development Plan, adopted in August 1, 2017 identifies that this area shall include both public parkland and regional stormwater.
44. This area is part of the Upper Badger Mill Creek watershed which has an approved watershed plan. This plan calls for 18.7 acre-feet of regional detention to occur on this site. The developer shall work with Engineering and Parks to address this need separate from the detention required for the development of the site.
45. At the time of platting, the design of the regional storm facilities identified in the High Point-Raymond Neighborhood Development Plan and the Upper Badger Mill Creek watershed have not been completed. Upon determination of the need for regional detention, Outlot 2 may not be suitable for public parkland as determined by 16.23. If determined that a portion of this land is not acceptable as parkland, as determined at the time of building permitting, other land dedication or Park-Land Impact Fees shall be required for residential development.
46. Dedicated parkland shall not be used for construction staging, stockpiling material, or any other temporary private use, unless a separate agreement is reached with the City.
47. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the West Park-Infrastructure Impact Fee district. Please reference ID# 20023 when contacting Parks Division staff about this project.
48. Prior to sign off on the final plat the Applicant shall execute a declaration of conditions and covenants along with an impact fee schedule for the Park Impact Fees for this development to account for the dedication being made with Outlot 2. This document will be recorded at the Register of Deeds. The Applicant shall be responsible for all recording fees.

49. Lands that are dedicated for park purposes to fulfill the parkland dedication shall be suitable for park development. The applicant shall provide proposed grading plans prior approval of the area of dedicated public parklands. General guidelines for park development include:
- a.) No existing wetlands.
 - b.) No side slopes within the park dedication area shall exceed 4:1.
 - c.) Large or excessive retaining walls shall not be allowed on public parklands to meet the grading requirements.
 - d.) No propose utilities will be allowed on public park land without prior approval by the Parks Superintendent or his designee.
50. No farming or use of lands to be dedicated to the public for park purposes shall be allowed unless specifically approved by the Parks Superintendent and permitted under a farm lease administered through the City of Madison Office of Real Estate Services.
51. The following note should be included on the subdivision: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."
52. The applicant shall complete a tree inventory and health assessment for the trees located on the proposed public park and any in close proximity to the park. The applicant shall include all existing trees. The tree inventory and health assessment should be completed by an arborist and provided to the Parks Division with the final plat application.
53. The developer shall provide soil borings within any lands to be dedicated as parkland.

Please contact Wayne Buckley of the Forestry Section at 266-4892 if you have any questions regarding the following item:

54. As defined by MGO Section 10.10, City Forestry will assess the full cost of the street tree installation to the adjacent property owner. City Forestry will determine street tree planting sites and tree species type. Street tree planting will be scheduled after there is substantial completion of the new plat development along the street segment.

Please contact my office at 261-9632 if you have any questions regarding the following two (2) items:

55. That a restriction be placed on Lots 1 and 2 of the final plat that limits the future density of residential development on those lots to the maximum of 40 units per acre recommended for Residential Housing Mix 3 (HM3) by the High Point-Raymond Neighborhood Development Plan. A note shall also be added that future development of Lot 3 shall be limited to 50 units an acre consistent with the HM4 recommendation in said plan.
56. Prior to recording of the final plat, the applicant shall designate a future use for Outlot 3. In lieu of dedication to the City, the subdivider may designate it as "For future development" for the purposes of recording.

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:

57. Signature block certifications shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). The title of each certificate shall be consistent with the ownership interest reported in the most recent title report. The executed original hard stock recordable plat shall be presented at the time of sign-off.
58. A Consent of Lessee certificate shall be included on the plat for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to sign-off.
59. 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 (May 11, 2020) submitted with the CSM application and include all associated documents that have been recorded since the initial title report. A title commitment may be provided, but will be considered only as supplementary information to the title report update. The surveyor shall update the CSM with the most recent information reported in the title update.
60. The owner shall email the document number of the recorded plat to Heidi Radlinger hradlinger@cityofmadison.com or Lance Vest lvest@cityofmadison.com at the Office of Real Estate Services as soon as it is available.
61. No farming or use of lands to be dedicated to the public for Park purposes shall be allowed unless specifically approved by the Parks Superintendent and permitted under a farm lease administered through the City of Madison Office of Real Estate Services. If the lands within the CSM boundary are farmed agricultural lands, the applicant shall enter into a lease with the City for those lands to be dedicated and/or conveyed to the City through CSM recording. Please contact the City of Madison Office of Real Estate Services to discuss the potential lease terms.

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

Any appeal regarding the plat, including the conditions of approval related thereto, must be filed with the Circuit Court within thirty (30) days from the date of this letter. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,



Timothy M. Parks
Planner

Springs at Pleasant View
8355 Mansion Hill Avenue
August 7, 2020
Page 9

cc: Tim Troester, City Engineering Division
John Sapp, City Engineering Division
Jeff Quamme, City Engineering Division – Mapping Section
Sean Malloy, Traffic Engineering Division
Sarah Lerner, Parks Division
Adam Wiederhoeft, Madison Water Utility
Jacob Moskowitz, Asst. Zoning Administrator
Heidi Radlinger, Office of Real Estate Services