



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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**\*\*BY E-MAIL ONLY\*\***

March 23, 2021

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

RE: Approval of the final plat of *Eastwood Springs*, creating six lots for future multi-family development, one lot for future mixed-use development, one outlot for future development, one outlot to be dedicated for public parkland, and one outlot to be dedicated for public stormwater management. (Jon Sopher, Northern States Development Group, LLC). [ID 63758; LNDSP-2021-00001]

Gentlemen;

At its March 16, 2021 meeting, the Common Council **approved** the revised final plat of "Eastwood Springs" dated February 22, 2021 subject to the conditions of approval in the following sections, which shall be addressed prior to final approval and recording of the final plat.

**Please contact Brenda Stanley of the City Engineering Division at 261-9127 if you have questions regarding the following twenty-seven (27) items:**

1. A Phase 1 environmental site assessment (per ASTM E1527-13), is required for lands dedicated to the City. 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](mailto:bbemis@cityofmadison.com)).
2. The developer may be required to enter into an agreement for guarantee of payment of the Northeast Neighborhood- Gaston Road Extension Impact fee for a percentage of lots within a set time frame of the sewerbeing available as a conditional for development.
3. This plat is in an area known to the City Engineer to be flood prone, and may be required to provide additional stormwater management so as to not increase downstream flooding.
4. The construction of this project will require that the applicant shall enter into a City/ Developer agreement for the required infrastructure improvements. The City Engineer will not sign off on this project without the agreement executed by the developer. Allow 4-6 weeks to obtain this agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement.
5. The developer shall construct Madison standard street, multi-use path, and sidewalk improvements for all streets within the plat.

6. Make improvements to Reiner Road and Commercial Avenue in order to facilitate ingress and egress to the development as required by the City Engineer and the City Traffic Engineer.
7. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
8. This development is subject to impact fees for the Northeast Neighborhood–Gaston Road Extension Impact Fee District. All impact fees are due and payable at the time building permits are issued (MGO Chapter 20). The following note shall put 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.”
9. Provide proof of septic system abandonment from Public Health–Madison and Dane County as a condition of plan approval.
10. An Erosion Control Permit is required for this project.
11. A Storm Water Management Report and Storm Water Management Permit is required for this project.
12. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with 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. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.
13. A portion of this plat may come under the jurisdiction of the US Army Corp of Engineers (USACOE) and WDNR for wetland, floodplain, or navigable waterway issues. A permit for these items may be required prior to construction. Contact the WDNR and USACOE for a jurisdictional determination.
14. The approval of this subdivision does not include the approval of the changes to roadways, sidewalks or utilities. 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.
15. 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 nine (9) feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
16. 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. Caution - The improvements indicated may require right of way outside of the plat.

17. Construct a multi-use path along Blissful Avenue through from Reiner Road to east plat limit according to plans approved by the City Engineer.
18. Construct four (4) feet of pavement, curb and gutter, terrace and sidewalk/multi-use path along Commercial Avenue and Reiner Road limits of plat as required by City Engineer. If the four feet of pavement is not possible due to timing of ultimate street improvements not being ready, that amount can be applied to cost share city owed portions along the new park.
19. 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 the City Engineering Division's final approval of this plan.
20. 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-inch copy of an erosion control plan (PDF copy preferred) to Megan Eberhardt (west) at [meberhardt@cityofmadison.com](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto:daolivares@cityofmadison.com), for approval.
21. 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.
22. 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 WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
23. 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 at 266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.
24. 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.
25. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances 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 Stormwater Management Permit

application can be found on City Engineering's website. The Storm Water Management Plan & Report shall include compliance with the following:

Submit prior to plan sign-off, a stormwater management report stamped by a P.E. 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.

Detain the 2-, 10-, 100- and 200-year storm events, matching post development rates to predevelopment rates and using the design storms identified in MGO Chapter 37.

Provide infiltration of 90% of the pre-development infiltration volume.

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

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

26. 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.
27. 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 (East) or ttroester@cityofmadison.com (West).

**Please contact Jeff Quamme of the City Engineering Division—Mapping Section at 266-4097 if you have any questions regarding the following seventeen (17) items:**

28. The Public Utility Easement along the north side of Blissful Avenue shall be separated from the easement for Public Sidewalk and Bike Path Easement purposes.
29. The 20-foot wide Permanent Limited Easement for Pedestrian/Bicycle Path Purposes shall be retitled to Public Sidewalk and Bike Path Easement. Contact Jeff Quamme (jrquamme@cityofmadison.com) for the language containing the terms of the easement to be placed on the face of the plat.
30. Grant a 10-foot Permanent Limited Easement for grading and sloping along the east right of way of Reiner Road. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 266-4097) for easement language.
31. A note shall be added to the plat with a condition for all public utility easements within Outlot 3 that the easements are subservient to the primary use of the outlot for public stormwater management. Contact Jeff Quamme (jrquamme@cityofmadison.com) for the required language.
32. The lots being platted by the final plat are for multifamily and mixed-use development and will coordinate USPS mail delivery internally. The applicant shall note that future residential development within Outlot 1 will require, by Ordinance, the developer to provide private easements or private

outlots to accommodate the then USPS required centralized delivery of mail using Cluster Box Units (CBUs). With any future replatting of Outlot 1, coordinate the locations with of Outlot 1 of the CBUs with the USPS Development Coordinator, City Engineering and City Traffic Engineering Staff and in accordance with the Policies for Cluster Box Units as adopted by the City of Madison Board of Public Works. CBUs will not be permitted within any publicly owned or dedicated lands.

33. Outlot 2 for public stormwater management per the preliminary plat has been eliminated from the final plat. Also wetlands have been added and shown on the final plat changing the future alignment of Summers Day Parkway and the boundary of the proposed park. These modifications are subject to final review and any subsequent revisions that may be required by City agencies.
34. Add text to the label for the 13-foot Wide Gas Easement that it is a 13-foot wide Gas Easement to Madison Gas & Electric as per Document No. 1087083.
35. The public utility easements being granted by this plat shall be more frequently labeled on the face of the plat. Minimally at least 1 to 2 labels shall be provided within any lot or outlot.
36. The text for the 34-foot wide Electric Line easement shall be changed to Electric Line Easement per Document No 2105232, assigned to ATC per Document No. 4202339. Construction of fences and buildings and the planting of trees are prohibited within this easement per its terms. Also fully dimension its location as it crosses each outlot and easement.
37. Since the Temporary Limited Easement along Reiner Road terminates upon the recording of this plat, remove the representation of the easement from the map portion of plat, but Note No. 1 shall remain on the plat as it currently exists.
38. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The developer's surveyor and/or applicant must submit copies of required tie sheets or monument condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com). If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office and shall be attached to a signed and sealed monument condition report. The applicant shall identify monument types on all PLS corners included on the plat.
39. The bearing reference refers to an incorrect line and also shall state that bearings are also referenced to the Wisconsin County Coordinate System Dane County Zone.
40. Fully Dimension the No Vehicular Access and the restriction shall be noted that it is per Certified Survey Map 1099.
41. Provide a tie on the map from the SW corner of Section 36 north to the corner of the plat along the west line of Section 36.
42. Memory Lane will extend west in the future. The suffix for the street Memory Lane shall be changed to Way, Drive, Street, or Road.

43. Prior to City Engineering Division final sign-off by the main office for plats, the final plat must be submitted to Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the **final** version of the plat in PDF form is preferred. Transmit the final plat to jrquamme@cityofmadison.com.
44. 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 plat: a) Right-of-Way lines (public and private); b) Lot lines; c) Lot numbers; d) Lot/Plat dimensions; e) street names; and f) easement lines (i.e. all shown on the plat including wetland and floodplain boundaries.) \*This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data for any changes subsequent to any submittal.

**Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 266-4429 if you have any questions regarding the following item:**

45. The demolition or removal of the single-family residence located on Lot 4 shall require Plan Commission approval of a demotion permit prior to the issuance of a raze permit or development of Lot 4.

**Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following item:**

46. The applicant shall work with the Traffic Engineering Division on providing proposed right of ways and future right of ways with standard tangents and radii.

**Please contact Jeff Belshaw of the Madison Water Utility at 261-9835 if you have any questions regarding the following two (2) items:**

47. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat per MGO 16.23(9)(d)(3).
48. 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.

**Please contact Kathleen Kane of the Parks Division at 261-9671 if you have any questions regarding the following nine (9) items:**

49. Areas of delineated wetlands and the 30-foot portion of the 75-foot wetland buffer where grading and land disturbance are not permitted shall not be included in the calculation of lands dedicated to the public for park purposes for the subdivision. The amount of wetland acreage and the amount of acreage with the 30-foot no-grading zone in the wetland buffer shall be reflected on the final plat.

50. Park Impact Fees (comprised of the Park-Infrastructure Impact Fee, per MGO Section 20.08(2), and Park-Land Impact Fees, per MGO Sections 16.23(8)(f) and 20.08(6)) will be required for all new residential development associated with this project. This development is within the East Park-Infrastructure Impact Fee district. The applicant may enter into a development agreement for the park infrastructure improvements in lieu of paying park impact fees. The developer must select a method for payment of park impact fees prior to signoff of the final plat. Please reference ID# 19021 when contacting Parks Division staff about this project.
51. 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) Areas within a park to be used for open space for active and passive recreation shall be graded at 1-2% for the area where fields are proposed.
  - 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 proposed utilities will be allowed on public parkland without prior approval by the Parks Superintendent or his designee.
52. 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. This document will be recorded at the Register of Deeds. The applicant shall be responsible for all recording fees.
53. 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."
54. The applicant shall install a fence along the boundary of lands dedicated for public park purposes at the sole expense of the applicant. The fence shall be installed on private property to a design that is mutually agreeable to the applicant and Parks Division. The cost of the fence shall not be eligible for Park-Infrastructure Impact Fee credits. The applicant shall execute a deed restriction that would require the fence to be perpetually maintained by the property owners for any lots that are adjacent to publicly dedicated parklands.
55. 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.
56. The applicant shall prominently stake all boundaries and property irons for lands to be dedicated for park purposes.
57. The applicant shall provide soil borings for the outlot dedicated for park purposes.

**Please contact Andy Miller of the Office of Real Estate Services at 261-9983 if you have any questions regarding the following nine (9) items:**

58. Prior to approval sign-off by the Office of Real Estate Services (“ORES”), all parties having an interest in the property, pursuant to Wis. Stats 236.21(2)(a), shall execute the Owner’s Certificate on the plat. 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. When possible, the executed original hard stock recordable plat shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the plat containing electronic signatures shall be provided to ORES to obtain approval sign-off.
59. Prior to final plat sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner’s Certificate(s). If no mortgages exist at the time of sign-off, the Consent of Mortgagee can be removed.
60. 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.
61. Remove reference to the WOODS FARM plat from the certificate, and correct the certificate to read “City of Madison Common Council Certificate”.
62. Include a City of Madison Plan Commission Certificate, to read as follows:
63. As of February 23, 2021, the 2020 real estate taxes are not paid for the subject property. Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to Plat recording. Receipts are to be provided on or before sign-off; checks are payable to: City of Madison Treasurer; 210 Martin Luther King, Jr. Blvd.; Madison, WI 53701.
64. As of February 23, 2021, there are no special assessments due for the parcels within the plat boundary. [The deferred assessment shown on the City Assessor’s website was fully paid in 2017.] Pursuant to MGO Section 16.23(5)(e)1 and Wis. Stats. 236.21(3), all special assessments that may become due prior to plat sign-off, 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.
65. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish to Andy Miller ([acmilller@cityofmadison.com](mailto:acmilller@cityofmadison.com)) in 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 (December 8, 2020) 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. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the plat.



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

- a) For properties not connected to municipal utility services, consider whether or not well abandonment ref. NR-141 needs to be addressed.
- b) Create and record, or show as being dedicated in the proposed plat, easements for utility and drainage rights of way when the utility or drainage physically exists, but no document for it exists in record title.
- c) Record satisfactions or releases for all recorded instruments that encumber or benefit the subject lands, if all interested parties agree that the purpose for such instrument is no longer necessary or relevant for the purposes of the land division.
- d) Initiate requests to all applicable utilities to record releases of their interests in utility easements in underlying plats or CSMs, if this proposed plat is a re-division of existing plats or CSMs with utility easements that will no longer be applicable; and, prior to requesting sign-off, place a note in the proposed plat citing the recording data for the City's recorded release of same.
- e) 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 by ORES. If the lands within the plat 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 plat recording. Please contact Andy Miller in ORES to discuss the potential lease terms. Said leases are authorized by Resolution 13-00247 (ID 29183), adopted April 16, 2013.

**Please contact my office at 261-9632 if you have questions about the following four (4) items:**

67. A copy of the 2019 wetland delineation prepared by a certified delineator and noted on the final plat shall be provided to the City Engineer.
68. The demolition or removal of the single-family residence at 609 Reiner Road shall require Plan Commission approval of a demolition permit prior to the issuance of wrecking or building permits for proposed Lot 4. The structures in that portion of the site shall be shown and dimensioned on the final plat if not approved for demolition prior to final approval and recording of the plat.
69. Consistent with the condition of preliminary plat approval, that prior to recording the final plat, the applicant work with City Engineering and Planning staff to explore "distributed infiltration" practices as part of the means to meet the infiltration requirements identified under Chapter 37, MGO, the Northeast Neighborhood Development Plan, and those recommended in the 2010 CARPC CUSA amendment approval resolution. These methods could include but 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.
70. Prior to final approval and recording of the final plat, the applicant shall work with the Planning Division and Capital Area Regional Planning Commission (CARPC) to revise the environmental corridor map to reflect the approved subdivision.

**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*

Timothy M. Parks  
Planner

cc: Brenda Stanley, City Engineering Division  
Jeff Quamme, City Engineering Division – Mapping Section  
Sean Malloy, Traffic Engineering Division  
Bill Sullivan, Madison Fire Department  
Kathleen Kane, Parks Division  
Jenny Kirchgatter, Assistant Zoning Administrator  
Andy Miller, Office of Real Estate Services