



Department of Planning & Community & Economic Development  
**Planning Division**

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

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July 19, 2007

Brian Munson  
Vandewalle & Associates  
120 East Lakeside Street  
Madison, Wisconsin 53715

RE: Approval of a request to rezone 5939 Sharpsburg Drive from General Development Plan (PUD-GDP) to Amended General Development Plan (PUD-GDP) to allow up to 90,000 square feet of retail/office uses and 162 residential units and approval of a Certified Survey Map No. 11948 creating two lots.

Dear Mr. Munson:

At its July 17, 2007 meeting, the Common Council **conditionally approved** your application to rezone 5939 Sharpsburg Drive from General Development Plan (PUD-GDP) to Amended General Development Plan (PUD-GDP) and **conditionally approved** Certified Survey Map No. 11948 creating two lots.

The first set of conditions approval shall be satisfied prior to final approval and recording of the **rezoning**:

**Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following four (4) items:**

1. Lot #2 is island parcel with regard to sanitary sewer. Private sanitary sewer easements will be required across neighboring lots to provide sanitary sewer service to Lot 2. Private mains are to be shared, recorded ownership/maintenance agreement shall be in place prior to the plan approval.
2. The simultaneously submitted Certified Survey Map (CSM) application must be approved and CSM recorded prior to issuance of building permits.
3. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer 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. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
4. If the lots within this site plan 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 site plan and recorded at the Dane Co Register of Deeds.

**Please contact Matt Tucker, Zoning Administrator, at 266-4551 if you have questions regarding the following item:**

5. The northeasterly portion of Lot 2 shall be shown as green space area (where the property line goes through a building). Also the building labeled C-4 (future development), to the north on agricultural lands, shall be removed from the plan and shall be shown as green space.

**Please contact Scott Strassburg, Madison Fire Department, at 261-9658 if you have questions about the following two (2) items:**

6. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least TWO fire hydrants. Distances are measured along the path **traveled by the fire truck as the hose lays off the truck**. See MGO 34.20 for additional information.
7. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows: (*commercial structures only*)
  - a. The site plans shall clearly identify the location of all fire lanes.
  - b. Provide an aerial apparatus access fire lane that is at least 26-feet wide, with the near edge of the fire lane within 30-feet of the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.
  - c. Provide a fire lane that extends to within 150-feet of all exterior portions of the structure, or it can be extended to within 250-feet if the building is fully sprinklered.

After the plans have been changed as per the above conditions, please file **eight (8) sets** of the revised, complete site plans, building elevations, floor plans and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their signature of final approval.

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void. No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.

Within thirty-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.12 (10)(e), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant

to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

The conditions of approval from the reviewing agencies for the CSM are listed below:

**Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following ten (10) items:**

8. Sanitary sewer easements will be required across one of the neighboring lots to provide sanitary sewer service to Lot 2. If private sanitary sewer mains are to be shared, recorded ownership/maintenance agreements shall be in place prior to plan approval.
9. The interior common lot dimension of 95.71 feet shown appears to be in error and should be 91.51 feet.
10. Clearly identify and label adjoiner Lot 2, CSM 11948.
11. Identify the lot corner elevation at the most Southerly corner of proposed Lot 1.
12. The Developer shall enter into a City / Developer agreement for the installation of public improvements required to serve this 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 plat/csm without the agreement executed by the developer.
13. Arrows shall be added to the certified survey map indicating the direction of drainage for each property line not fronting on a public street. In addition, the certified survey map shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the certified survey map.
  - a. Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.
  - b. All lots within this certified survey 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 certified survey. 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 certified survey. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

NOTE: IN THE EVENT OF A CITY OF MADISON PLAN COMMISSION AND/OR COMMON COUNCIL APPROVED REDIVISION OF A PREVIOUSLY SUBDIVIDED PROPERTY, THE UNDERLYING PUBLIC EASEMENTS FOR DRAINAGE PURPOSES ARE RELEASED AND REPLACED BY THOSE REQUIRED AND CREATED BY THE CURRENT APPROVED SUBDIVISION.

14. If the lots within this certified survey map are inter-dependent upon one another for storm water 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 certified survey map and recorded at the Dane Co Register of Deeds.
15. The following note shall be added to the certified survey map. "All lots created by this certified survey map are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to storm water detention at the time they develop."
16. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact Janet Dailey (608-261-9688) 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)
17. Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), 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 working days prior to final Engineering Division sign-off. Electronic mail submittal of the FINAL CSM in PDF form is preferred. Transmit to [epederson@cityofmadison.com](mailto:epederson@cityofmadison.com)

**Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following three (3) items:**

18. The applicant shall note on the face of the C.S.M. the one (1) access location agreed to by the City Traffic Engineer and shown on the GDP conceptual site plan. The applicant shall note, "No Vehicle Access," on both sides of the one (1) 50 ft driveway approach according to the GDP Conceptual site plan.
19. The applicant shall note on the face of the C.S.M. that cross-access easements between lots may be required.
20. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights & traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.

**Please contact Scott Strassburg, Madison Fire Department, at 261-9658 if you have questions about the following item:**

21. As required by MGO 10.34 and IFC 505.1, all residential and commercial buildings must have the approved address posted. The address numbers shall be 4 inches in height, numbers shall be in contrast to the background and visible from the street.

**Please contact my office at 267-1150 if you have questions about the following two (2) items:**

- 22. That the applicant revises the Certified Survey Map to provide for cross access easements between lots 1 and
- 23. Madison Gas & Electric and AT&T are requesting that six-foot wide utility easements be dedicated over the five-foot drainage easements shown along the western, eastern and southern lot lines of Lot 1 and the northern and western lot lines of Lot 2 of the Certified Survey Map.

A copy of the final recorded CSM shall be included in the recorded materials for the Planned Unit Development for this site.

As soon as the comments and conditions have been satisfied as verified with a completed affidavit form (enclosed), 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.

Upon acceptance and recording of the certified survey map by the Dane County Register of Deeds, please transfer the recorded volume, document number, and page numbers to the copies and forward a copy to this office for our records. The original survey map with the recording information is permanently kept on file in the Dane County Register of Deeds Office. A copy of the recorded document can be obtained from the Register of Deeds Office, Room 110, City-County Building or the Real Estate Office in the Madison Department of Planning and Development.

Any appeal from this action, including the conditions of approval, must be filed with the Circuit Court within thirty (30) days from the date of this letter. The approval of this CSM shall be null and void if not recorded in **six (6) months** from the date of the approving resolution. If you have any questions on the CSM, please contact the office of Tim Parks at 261-9632.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 267-1150.

Sincerely,

Kevin Firchow, AICP  
Planner

cc: Matt Tucker, Zoning Administrator  
Janet Dailey, City Engineering  
John Leach, Traffic Engineering  
Bill Sullivan, Madison Fire Department

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Firchow)	<input type="checkbox"/>	Madison Water Utility
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division (Park fees)
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coordinator (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: