



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

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January 11, 2008

Craig Enzenroth
Mineral Point Road Holdings, LLC.
8500 Greenway Blvd. Suite 200
Middleton, WI 53562

RE: Approval of a request to rezone 81.26 acres located at 12003 Mineral Point Road from Temporary Agriculture to R1 (Single-Family Residence District) and R4 (General Residence District); and approval of a preliminary plat creating 162 single-family lots, three (3) multi-family lots and five (5) outlots.

Dear Mr. Enzenroth:

At its January 8, 2008 meeting, the Common Council **approved** your rezoning and preliminary plat for the "Tormey Ridge" subdivision subject to the following conditions of approval from reviewing agencies:

Please contact Janet Dailey, City Engineering, at 266-4751 if you have questions regarding the following twenty-five (25) items:

1. Clarify specific dedication and ownership, public vs. private, for all Greenways, Detention and Park parcels created by this plat. Also coordinate public dedication of Detention and Greenway parcels and designate appropriate agencies, Parks or Engineering.
2. The Developer shall construct a path and dedicate a 20-ft wide pedestrian / bike easement along the south line of Lot 27 and connect with the intersection of "F" Avenue and "C" Street as required by the City Engineer.
3. A 20-ft wide storm easement along the east property line of Lot 165 from Silicon Prairie Parkway south to the storm basin shall be required.
4. The Developer will be responsible for payment of the Lower Badger Mill Sanitary Sewer and Stormwater Management Impact Fee District. The Developer shall sign a waiver of assessments prior to plat recordation.
5. The City does not currently have sanitary sewer capacity to serve this development and will not until the Lower Badger Mill Sanitary Sewer is constructed. There may not be sanitary sewer available for portions of the plat until these improvements are in place.
6. Portions of the plat are dependent on off-plat work for both storm and sanitary sewer. Coordination and / or approval of this construction may delay development of the plat.
7. Coordinate all public street names for all public street right-of-ways created by this plat with Engineering Division Mapping and Land Records Program Specialist Lori Zenchenko. lzenchenko@cityofmadison.com or 266-5952.

8. 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 plat/csm without the agreement executed by the developer.
9. 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' below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
10. The Developer shall construct Madison Standard street improvements for all streets within the plat.
11. The developer shall show a 40 foot building setback line on the plat adjacent to Mineral Point Road for all lots in the plat adjacent to said roadway. Note: No buffer strip shall be dedicated to the City as the City does not want the maintenance.
12. Extensive grading may be required due to steep roadway grades.
13. The Developer shall construct sidewalk to a plan approved by the City Engineer and complete ditching as required by the City Engineer along Mineral Point Road.
14. The Developer shall make improvements to Mineral Point Road to facilitate ingress and egress to the plat.
15. The developer shall confirm that adequate sight distance exists on Mineral Point Road 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.
16. An erosion control plan and land disturbing activity permit shall be submitted to the Engineering Division for review and approval prior to grading or any other construction activities. The Pre-Construction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the 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 7.5-tons per acre per year.
17. 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.

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.

- 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.

Information to Surveyors: In addition to notes such as this, WI State Plat Review now 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.

- 18. 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.

The following note shall accompany the master storm water drainage plan:

- a. 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 City Engineering's approval of this plan.

- 19. Prior to recording the plat, the applicant shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to a) detain the 2, 10, & 100-year storm events, b) control 80% TSS (5 micron particle), c) provide infiltration in accordance with NR-151, and d) provide substantial thermal control.
- 20. This site is greater than one (1) acre and the applicant is required by State Statute to obtain a Notice of Intent Permit (NOI) from the Wisconsin Department of Natural Resources. Contact Jim Bertolacini of the WDNR at 275-3201 to discuss this requirement. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 21. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat 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).

22. All outstanding Madison Metropolitan Sewerage District (MMSD) and 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. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
23. 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 or CSM. Note: Land tie to two PLS corners required.
24. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. City of Madison has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City of Madison Engineering Division web address http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html for current tie sheets and control data. If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact Engineering Division for this information.
25. The Applicant shall submit to Eric Pederson, prior to Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the final plat/CSM to the Mapping/GIS Section of the Engineering Division. The digital copies shall be submitted in both NAD27 & WIDOT County Coordinate System, Dane County Zone datums in either Auto CAD Version 2001 or older, MicroStation Version J or older or Universal DXF Formats and contain the minimum of the following, each on a separate layer name/level number:
 - a. Right-of-Way lines (public and private)
 - b. Lot lines
 - c. Lot numbers
 - d. Lot/Plat dimensions
 - e. Street names
 - f. 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).

NOTE: This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.

NOTE: 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.

Please contact Dan McCormick, Traffic Engineering, at 266-4761 if you have questions about the following ten (10) items:

26. The Developer shall put the following note on the face of the plat: "ALL THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT (S)." Note: The final sign-off may be delayed until the transportation impact fees are negotiated or approved by the Council.

27. Prior to approval, the applicant shall prepare and provide a master ped-bike plan for the plat that is consistent with the City's area wide plans show future bike paths, underpass foot print and the plat's specific provisions, to be reviewed and approved by the Traffic Engineer.
28. The applicant shall show the footprint of the future ped-bike underpass and 20 ft path easement to the underpass through and over O.L. 1. and / or O.L. 2 to be determined and approved by the City Traffic Engineer. This may require changes to the detention pond area and adjacent lots.
29. The applicant shall in the Developer's Agreement include building the "Public Bike / Pedestrian facilities at the same time of other improvements.
30. 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.
31. Utility easements shall be provided as follows:

Between Lots	Between Lots	Between Lots
2 & 3	67 & 68	120 & 121
6 & 7	70 & 71	128 & OL 3
19 & 20	82 & 83	139 & 140
21 & 22	87 & 88	143 & 144
27 & 28	89 & 138	146 & 147
36 & 37	97 & 98	151 & 152
38 & 39	100 & 101	155 & 156
40 & 41	103 & 104	South 12 ft of 164
42 & 43	105 & 106	
44 & 58	108 & OL 3	
53 & 54	110 & 111	
56 & 57	113 & 114	
59 & 72	116 & 117	
65 & 66	118 & 119	

32. The applicant shall show a detail drawing of the 12 ft. utility easement dimensions and lot lines on the face of the plat.
33. There will be access restrictions for this final plat and shall be noted on the face of the plat as follows:
 - a. No Access shall be granted along the southerly right-of-way line of Mineral Point Road.
34. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.
35. The developer and City shall reach agreement on traffic flow controls within the right of way as shown on the preliminary plat during the city-developer agreement stage.

Please contact Si Widstrand, Parks Division, at 266-4711 if you have questions about the following seven (7) items:

36. The location of the park dedication is acceptable.
37. The tree inventory and preservation plan has answered many of the questions regarding tree impacts. It is unfortunate that the location of F Avenue at the south end of the plat is likely to remove both large oaks at that location. The developer shall work with Parks and Engineering staff to determine if a slight shift in the roadway can preserve one of the trees.
38. The revised stormwater basin meets the concern about preserving trees. The grading plan for the detention basin shall provide adequate space for a bike path behind lots 161-163. The path will be immediately behind those three lots, then cut across the slope parallel to lots 155-161.
39. To prevent encroachment and indiscriminate access down the steep slope, the developer shall build a 4' tall continuous chain link fence (no gates) on the park property line behind lots 155-162, with that expense counted against the park development fees.
40. On the bike path easement on lot 165, the developer shall grade for the future path, which will be built when future corridor is obtained from future plats to the south.
41. To protect trees, no underground utility easements shall be located along the south edge of the plat, or anywhere along the park perimeter unless approved by the Parks Division.
42. The developer shall pay approximately \$270,000 for park development fees. The developer must select a method for payment of park fees before signoff on the final plat.

Park development fees = (237 mf units @ \$540.93) + (162 sf lots @ \$841.45) = \$264,515.31

Standard Park Fees and Payments:

Parkland Dedication Requirement is 1100 square feet per single family or duplex unit, 700 square feet per multifamily unit, 350 square feet per elderly unit or single room occupancy.

Fee in Lieu of Dedication is required when City does not take all actual land dedication. The fee is based on current property values up to a maximum of \$1.82/square foot for 2007.

Max fee in lieu per unit: SF = 1100 sq.ft. @ \$1.82 = \$2002.
 MF = 700 sq.ft. @ \$1.82 = \$1274.
 E-SRO = 350 sq.ft. @ \$1.82 = \$ 637.

The Park Development Impact Fees for 2007 are:

SF single family or duplex unit \$841.45

MF multifamily unit \$540.93

E-SRO elderly or rooming house unit \$270.47

Total combined fees: SF = \$2,843.45
 MF = \$1,814.93
 E-SRO = \$907.47

Payments: Parkland impact fees and park development impact fees shall be paid for this project.

Payment checks shall be payable to the City of Madison Treasurer. All questions, payments and deliveries shall be made to the office of the Madison Parks Division.

Prior to City signoff on this project, the developer shall select one of the following options for paying these fees:

1. Payment of all fees in a lump sum prior to City signoff on the project.
2. When fees exceed \$20,000, the developer may pay half the fees and provide a two-year letter of credit at no interest for the remaining half of the fees, both prior to City signoff.
3. When fees exceed \$50,000 for plats being built with phased subdivision improvement contracts, the developer may pay the fees due for the number of units in each contract phase, paid at the time of contract execution, and at the fee rates then in effect. Under this option, the fees shall be calculated and prorated to each lot on the development, and the developer shall record a notice of the outstanding impact fees for each lot prior to receiving City signoff for the project.
4. The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall have fourteen (14) days after receiving the invoices to pay the outstanding impact fees. The following shall be required prior to plat sign off:
 - a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a Cadd file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision.
 - b) All information shall be transmitted to Janet Dailey by e-mail at Jdailey@cityofmadison.com, or on a CD to:

Janet Dailey
City of Madison Engineering Division
210 Martin Luther King Jr. Blvd
Room 115
Madison, WI 53703
 - c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.
 - d) The Developer shall put the following note on the face of the plat: ALL THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT(S).

Please contact Scott Strassburg, New Construction Inspector at 261-9843 if you have questions regarding the following four (4) items.

43. Per MGO 34.19, 34.20 and IFC 503.2.5: (For single family/ plats)
 - a. A fire apparatus access road that is longer than 150-feet shall terminate in a turnaround. Provide an approved turnaround (cul-de-sac, 45 degree wye, 90 degree tee) at the end of the fire apparatus access road. This turnaround shall be constructed of concrete or asphalt only, and designed to support a minimum load of 80,000 lbs.
 - b. All portions of the exterior walls of newly constructed one- and two-family dwellings shall be within 500-feet of at least one fire hydrant. 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.
44. 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.

45. All portions of the exterior walls of newly constructed one- and two-family dwellings shall be within 500-feet of at least one fire hydrant. 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.
46. 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 Dennis Cawley, Madison Water Utility, at 266-4651 if you have any questions regarding the following five (5) items:

47. At this time there is no public water main adjacent to this plat. The only proposed watermain that will be available to serve this plat is that proposed for Silicon Prairie Parkway. Provisions shall be made for the installation of this water main before development can occur within this plat.
48. All public water mains and water service laterals shall be installed by standard City of Madison Subdivision Contract.
49. All operating private wells shall be identified and permitted by the Water Utility in accordance with Madison General Ordinance 13.21.
50. All unused private wells shall be abandoned in accordance with Madison General Ordinance 13.21.
51. The Water Utility will not need to sign off the final plans, but will need a copy of the approved plans.

Please contact Hickory Hurie or Barb Constans, Community Development Block Grant Office, at 267-0740 if you have questions regarding compliance with inclusionary housing requirements.

Please contact Matt Tucker, Zoning Administrator, at 266-4551 if you have questions regarding the compliance with the City's Zoning Ordinance.

Please contact my office at 261-9632 if you have questions about the following seven (7) items:

52. That concept plans be prepared for Lot 27 as part of the final plat submittal.
53. That the applicant include the following notations on the preliminary plat:
 - a. That the density of Lot 27 of the preliminary plat not exceed 8 units an acre.
 - b. That the combined density of Lots 35 & 165 of the preliminary plat not exceed 17.66 units an acre.
54. That the applicant name F Avenue "Sugar Maple Lane" to bring it in compliance with the neighborhood development plan.
55. That a tree preservation/planting plan be reviewed by the City Forester and Planning Division with the submittal of a final plat for the site.

56. That a payment of at least \$246,935 be made in lieu of on-site single-family inclusionary dwelling units per the conditions in the Community Development Block Grant Office report of December 17, 2007.
57. That a Land Use Restriction Agreement be recorded against the multi-family lots.
58. The Plan Commission recommended that the City Forester to plant full-canopy street trees in this subdivision.

Please note that the City Real Estate Office is reviewing the report of title provided with this plat and may have comments. That office will send any comments to you by fax. If you have any questions, please contact Jeff Ekola at 267-8719 for more information.

Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

Specific questions regarding comments or conditions should be directed to the commenting agency. Any appeal regarding the plat, including the conditions of approval, 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, do not hesitate to contact me at 267-1150.

Sincerely,

Kevin Firchow, AICP
Planner

cc: Ronald M. Trachtenberg, Murphy Desmond, SC: 33 E. Main Street, Suite 500; Madison, Wisconsin 53701-2308

Janet Dailey, City Engineering
John Leach, Traffic Engineering
Si Widstrand, Parks Division
Scott Strassburg, Madison Fire Department
Matt Tucker, Assistant Zoning Administrator
Dennis Cawley, Madison Water Utility
Jeff Ekola, Real Estate Unit
Barb Constans, CDBG Office
Capt. Jay Langfeld, Madison Police- West District
Norb Scribner, Dane County Land Records and Regulations