



Project Address: 310-402 Cottage Grove Road, 904 Dempsey Road
Application Type: Zoning Map Amendment and Preliminary and Final Plat
Legistar File ID # [29643](#) and [29562](#)
Prepared By: Heather Stouder, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant: Ruedebusch Development, LLC; 4605 Dovetail Dr.; Madison, WI
Contact: Dave Nelson; Ruedebusch Development, LLC; 4605 Dovetail Dr.; Madison, WI
Noa Prie; Williamson Surveying and Associates, LLC; 104 A W. Main St., Waunakee, WI 53597
Property Owners: Ruedebusch Development, LLC; 4605 Dovetail Dr.; Madison, WI
Agrium US; 4582 S Ulster St., Ste. 1700; Denver, CO 82037
MG&E; P.O. Box 1231, Madison, WI 53701-1231

Requested Action: The applicant requests approval of a preliminary and final plat to subdivide the 32.9-acre property for the creation of 58 lots totaling 21.8 acres, 3 outlots for stormwater management and greenspace totaling 4.4 acres, and the dedication of public streets within.

The requested plat is in conjunction with a request for a Zoning Map Amendment to rezone the property from the A (Agriculture) District to the following: 4 lots in the southern and eastern portion of the site totaling 11.3 acres to the TE (Traditional Employment) District; 3 lots in the central and southern portion of the site totaling 4.3 acres to the TR-U2 (Traditional Residential – Urban 2) District; 51 lots and 3 outlots in the northwestern portion of the site totaling 10.9 acres to the TR-C3 (Traditional Residential – Consistent 3) District. The remainder of the property would be dedicated to the public for streets.

Proposal Summary: The applicant proposes the subdivision and rezoning of the property, and no redevelopment is proposed at this time.

Applicable Regulations & Standards: This proposal is subject to the standards for Zoning Map Amendments [M.G.O. Section 28.182(6)] and Subdivisions [Section 16.23(3)].

Review Required By: Plan Commission (PC), Common Council

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for Subdivisions and Zoning Map Amendments can be met and forward the following items to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the conditions recommended by the reviewing agencies:

Preliminary and final plat of Royster Clark Development at 310-402 Cottage Grove Road and 904 Dempsey Road, and the following Zoning Map Amendments Amendment 00052, rezoning property from A (Agriculture) to TE (Traditional Employment); Amendment 00053, rezoning property from A to TR-U2 (Traditional Residential – Urban 2) District; and Amendment 00054, rezoning property from A to TR-C3 (Traditional Residential – Consistent 3) District

Background Information

Parcel Location: The 32.9-acre subject property is located on the northwest corner of Cottage Grove Road and Dempsey Road. The site is within Aldermanic District 15 (Ahrens), and within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The property has two small buildings on the southwestern portion of the property, 2,400 square foot building and an 800 square foot accessory building owned by MG&E and utilized as an electric substation. Just east of this is a set of wooden utility poles utilized by MG&E for training purposes.

Surrounding Land Use and Zoning:

North: Across the railroad tracks, single-family homes in the TR-C2 (Traditional Residential – Consistent 2) District

East: Across Dempsey Road, a fast food restaurant, commercial, and light industrial uses in the IL (Industrial Light) District

South: Across Cottage Grove Road, small multi-family buildings in the SR-V1 (Suburban Residential – Varied 1) and commercial uses on small lots in the CC-T (Commercial Corridor-Transitional) District

Southwest: Across Royster Avenue, single-family homes in the TR-C1 ((Traditional Residential – Consistent 1) District and TR-C2 (Traditional Residential – Consistent 2) District

Adopted Land Use Plan: The Comprehensive Plan (2006) has been amended to recommend Low Density Residential, Employment, and Neighborhood Mixed-Use for this property, consistent with the Royster-Clark Special Area Plan (2009).

Zoning Summary: The property is proposed for rezoning from Agriculture to TR-C3, TR-U2, and TE. No development is proposed at this time.

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

Public Utilities and Services: This periphery of the property is served by a full range of urban services, including Metro Transit routes running along Cottage Grove Road and Dempsey Road. The proposed plat includes streets, utilities, and stormwater infrastructure to serve the future development.

Previous Approvals

The demolition of the former fertilizer plant on the property was approved by the Plan Commission on October 3, 2011. Demolition and site remediation has since taken place, consistent with the conditions of approval set forth by the City, the WI Department of Natural Resources, and the WI Department of Agriculture, Trade, and Consumer Protection.

Project Description

The subdivision and rezoning provide the framework for infill redevelopment on 33 acres of land on the near east side of the City, which is anticipated to be phased over the next several years. The applicant is proposing to subdivide and rezone the property for future development generally consistent with the Royster-Clark Special Area Plan (2009). In total, the subdivision would result in 58 developable lots on 22 acres, 3 outlots on 4.4 acres, and five new streets, with no development proposed at this time. The construction of interior streets will likely occur in 2014, although the construction of utilities within the streets may occur as soon as fall 2013.

Site and Area Description

The 33-acre site is located just over 4 miles east of Downtown Madison, bounded by Cottage Grove Road on the south, Dempsey Road on the east, Royster Avenue on the west, and the railroad and Capital City Trail on the north. Cottage Grove Road serves as the main arterial for the area, with a 2011 average daily traffic volume of approximately 15,400. The property is surrounded by mature neighborhoods, with the Eastmorland Neighborhood to the north and west and the Lake Edge Neighborhood located across Cottage Grove Road to the south. Single-family homes in the Eastmorland Neighborhood near the site are on lots ranging from 5,500 to 12,500 square feet in size, with assessed values ranging from \$130,000 to \$190,000.

Currently, the existing parcels on the site are separately owned. MG&E owns a 6.2-acre parcel along the western edge of the site, where their electric substation and high-voltage transmission lines running northward are located. MG&E would retain the southern 4-acre portion of this parcel for continued use as an electric substation, and the transmission lines would remain in a no-build easement running through the rear yards of new single-family lots. Agrium US, Inc. owns a 5.4-acre parcel in the south central portion of the site, which is currently leased to MG&E for use as a training facility, and would likely continue to be leased for the next year or more. The balance of the property is owned by the applicant, Ruedebusch Development and Construction (RDC), who has an option to purchase all but the lot being created for the MG&E substation. All the parcels are currently in the Agriculture zoning district.

Formerly zoned for heavy industrial uses and utilized as a fertilizer plant for decades, the site has been prepared for redevelopment over the past few years through the demolition of the fertilizer plant buildings and subsequent remediation of contaminated soils. Throughout this time, the applicant has worked with consistent oversight by the State Department of Natural Resources and Department of Agriculture, Trade, and Consumer Protection.

New Lots and Outlots

The subdivision will create 58 developable lots and three outlots. Three lots totaling 8.5 acres (Lots 1, 2, and 58) on the eastern and southeastern part of the site would be rezoned to the "Traditional Employment" (TE) District, where employment uses are permitted, and mixed-use buildings, commercial and residential uses would be allowable, but subject to conditional use review by the Plan Commission. A fourth lot in the southwestern corner of this site (Lot 6, 4.01 acres), which will continue to be owned by MG&E and will continue to be utilized as an electric substation, would also be zoned into the TE District.

51 lots totaling 6.5 acres in the northwestern portion of the property would be zoned to the "Traditional Residential – Consistent 3" TR-C3 District, which will support 51 single-family detached homes on relatively small lots. 22 of the 51 lots are under 4,000 square feet in size and served by a common rear alley. The remaining 29 lots are larger, and will likely be accessed by individual driveways when developed.

Three lots totaling 4.3 acres in the south-central portion of the property (Lots 3, 4, and 5), are proposed to be zoned to the "Traditional Urban – Residential 2" (TR-U2) District, which allows for single-family, two-family, and multi-family residential development. In the TR-U2 District, any future building over four stories tall or with more than 8 dwelling units would require conditional use review by the Plan Commission.

Finally, there are three proposed outlots, all within the TR-C3 District. Outlot 1 in the northwestern corner of the property is a 1.3-acre site to be utilized as private greenspace. A stand of large oak trees on this site will remain. Outlot 2 in the north-central part of the site is a 2.3-acre property to be dedicated to the City for stormwater management. Outlot 3 is a 0.8-acre site located near the center of the property to be utilized as private greenspace between the single-family homes and the eastern part of the site.

New Public Streets

As proposed in the application, "Street A" is the primary entrance to the site from Cottage Grove Road opposite Maher Avenue. "Street A" leads northward into the site within an 80-foot wide right-of-way, to and through a

traffic circle, narrows to 66-feet wide, and eventually turns west to connect with Olbrich Avenue. "Street C" is the new east-west street through the site, providing access from Dempsey Road within a 66-foot right-of-way. "Street C" meets Street "A" at the traffic circle, and then terminates at the MG&E-owned property on the western edge of the site.

"Street B" provides a 60-foot wide north-south connection serving single-family lots between "Streets A" and "C" on the western portion of the site. "Street D" provides a secondary southern entrance within a 66-foot right of way from Cottage Grove Road to serve the southeastern portion of the site, and terminates at Street "C". Finally "Street E" is a narrow, 26-foot wide alley serving the smallest single family lots in the center of the property.

Analysis and Conclusion

Conformance with Adopted Plans

The Comprehensive Plan as amended in 2011 reflects the land use recommendations in the Royster-Clark Special Area Plan (2009), which is discussed below as the emphasis of the analysis. The proposed subdivision and rezoning are generally consistent with the land use recommendations in the Comprehensive Plan, and staff believes that statutory requirements for consistency between zoning map amendments and the Comprehensive Plan are met with the proposal. However, the TR-U2 zoning district proposed for the central portion of the site would allow for greater residential densities than recommended, as has been the focus of many of the public comments provided to date. The appropriate zoning for this area especially should be carefully considered by the Plan Commission.

The Royster-Clark Special Area Plan¹, adopted in October 2009, was the result of an 18-month planning process with sustained involvement of a neighborhood planning team and extensive opportunities for public input. While not every detail in the plan was embraced by everyone who participated, the degree of consensus and overall support for the Plan upon adoption was remarkable.

As illustrated in Figure 1, the Plan recommends redevelopment of the property with a mix of uses, including employment uses (E) on the eastern portion of the property, low-density residential (LDR) uses in the northwest portion of the property, medium-density residential (MDR) uses in the central portion of the property, and a mix of uses along Cottage Grove Road in south central part of the site (NMU). The MG&E substation in the southwestern corner of the site is anticipated to remain there for the long term, and is recommended as an industrial use (I) with adequate buffer space surrounding it. Open space uses (OS) are recommended in the northwestern corner of the property to protect an existing stand of oak trees, and at a flexible location elsewhere on the property.

Rather than specifying precise uses and design parameters, the Plan provides a general framework for a creative, integrated, mixed-use redevelopment of the site that takes advantage of this rare 33-acre infill opportunity by complementing surrounding residential neighborhoods and catalyzing further investment in the Cottage Grove Road corridor. The Plan included redevelopment concepts for the site (see Figure 2), but staff and the neighborhood planning team understood that the exact placement of open spaces, streets, and buildings may change based on the results of site remediation, more detailed knowledge of stormwater management challenges, and the refinement of a development concept.

1 The adopted plan can be found at this link: http://www.cityofmadison.com/planning/pdf/RCFinal%20Plan_020210.pdf

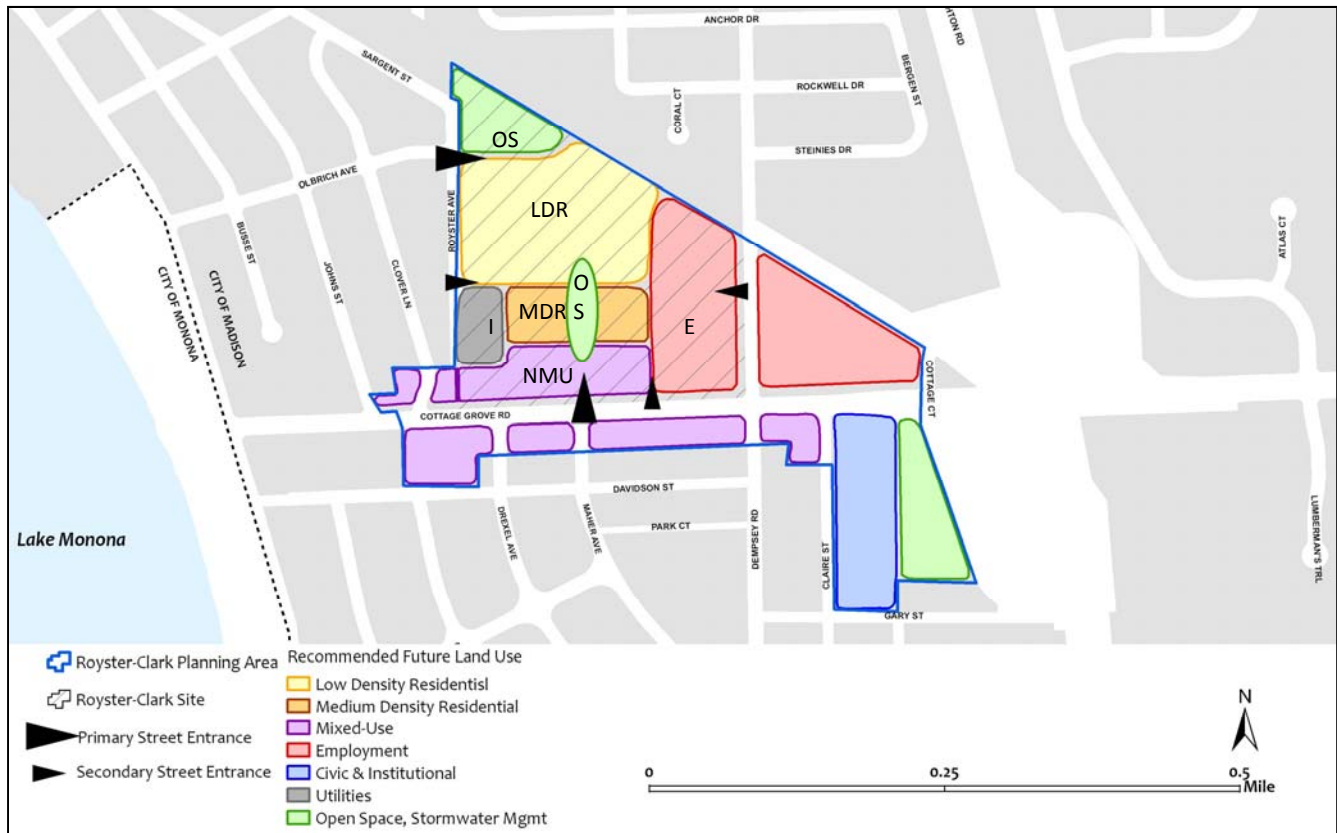


Figure 1: Royster-Clark Special Area Plan – Recommended Future Land Use

Subdivision Conformance with Plans – The proposed Preliminary and Final Plat are generally consistent with the Royster-Clark Special Area Plan. First and foremost, the street entrances to the site are proposed as recommended. The Plan recommends three principal entries: from Cottage Grove Road as an extension of Maher Avenue on the south (proposed “Street A”); from Dempsey Road on the eastern edge of the site (proposed “Street C”); and a local street entry from the west as an extension of Olbrich Avenue (also “Street A”). In addition, the Plan recommends two optional entries, including a second entrance from Cottage Grove Road, (proposed as “Street D”), and an entry from the existing cul-de-sac at the southern terminus of Royster Avenue, which is not proposed. Since Royster Avenue terminates into the MG&E substation, which may expand to the north in the future, this connection is not as important. The site is challenging due to its shape and adjacency to the railroad, but the proposed internal street layout frames development consistent with the plan, and optimizes opportunities for multi-modal connectivity.

The connection between the internal local street system and Olbrich Avenue as recommended in the adopted plan provides necessary connectivity between the existing neighborhood to the west and the proposed development. However, one concern expressed during the planning process was the potential for non-local traffic to use the new interior streets as a “cut-through” in



Figure 2: Royster-Clark Redevelopment Concept

an attempt to avoid using Cottage Grove Road and Atwood Avenue. To address this concern, the Special Area Plan recommended that to the extent possible, the Olbrich connection should be designed so that it is not an attractive cut-through.

While it is anticipated that people walking, bicycling, or driving to future uses on the Royster-Clark site from the existing neighborhood to the west will likely utilize Olbrich Avenue, and that the residents in the new single-family homes may utilize Olbrich Avenue or Sargent Street to head west, street design should seek to minimize use of this segment of the street by non-local automobile traffic. The traffic circle at the main interior intersection should also naturally decrease this tendency. The Plan also recommended narrow streets in this location, to provide for additional traffic calming. Thus, staff recommends that the right-of-way for the portion of "Street A" north of the traffic circle be narrowed to a maximum of 60 feet, which is consistent with the width of existing Olbrich Avenue to the west.

Finally, based on coordination with Engineering and Traffic Engineering staff, the proposed Plat includes dedication of additional public right-of-way along the eastern and southern edges of the property for future use as public streets. Approximately 9 feet of width will be dedicated along Dempsey Road to accommodate a wider sidewalk, an on-street bicycle lane, and space for a right turn into the site. Both the sidewalk and the on-street bicycle lane can be utilized as a bicycle connection between the Capital City Trail and Cottage Grove Road.

More significant is the 25 additional feet being dedicated for a potential future expansion of Cottage Grove Road in the southeastern part of the site. The design and timing for future reconstruction of Cottage Grove Road arterial is not yet determined. However, this additional right-of-way width would provide adequate space for on-street parking in front of Lot 1 and Lot 2, on-street bicycle lanes, and a median wide enough to be landscaped with trees and utilized as a pedestrian refuge at crosswalks. To accommodate this reconstruction, the overhead power and utility lines in this area would need to be relocated or buried, which is a very expensive endeavor. A public process to review alternatives for this section of Cottage Grove Road is anticipated in the near future. In any case, the dedication of this property for street purposes is appropriate at this time, so as not to preclude the City's options. Further, once this additional right-of-way is dedicated, buildings on Lot 1 and Lot 2 would not need to be set back from the new property line beyond that which zoning requires, since there would be adequate space within the right-of-way to place the power lines underground should that option be pursued.

Outlot 2 is being dedicated to the public for stormwater management, consistent with discussions between the applicant and City Engineering staff. Outlots 1 and 3 will be privately managed greenspaces, which is consistent with discussions between the applicant and the City Parks Division, which does not consider it practical to develop and manage such small properties as public parks in an area already served so well by parks.

Zoning Conformance with Plans -In this case, both the subdivision and zoning map amendment requests are before the Plan Commission and Council prior to any proposed redevelopment of the property. This is somewhat atypical, and this type of phased project might have been done as a Planned Unit Development – General Development Plan (PUD-GDP) in the past. However, the new zoning code includes conventional districts with site and design standards that can better ensure consistency with the adopted Plan. While a variety of zoning districts could be utilized to implement the land use recommendations in the Plan, the proposed palette and placement of districts is generally consistent with it. Importantly, almost all development involving mixed-use or multi-family residential buildings will be subject to conditional use approval, which will provide opportunities for more detailed public review.

Following approval of the subject rezoning request, the recording of the plat, and the construction of public streets, some future development would be permitted by right, absent further review by the Plan Commission. Specifically, the single-family homes in the TR-C3 District may move forward at the pace the market will support. The single-family development pattern is largely dictated by the lot configuration in the plat. Smaller, alley-fed lots will have garages in the rear, and the larger lots, which are mostly 6,000-7,700 square feet in size and

roughly 60 – 75 feet in width, will likely have their own driveways leading to attached or detached garages. Each home will have a maximum of two stories, front yard setbacks between 15 and 30 feet, and side yard setbacks of at least 5 feet. It is likely that many of the homes will be built by a single developer in the future, but nothing in this approval would preclude the involvement of more than one developer.

Commercial buildings with employment uses such as offices, clinics, laboratories, or light production uses would also be permitted by right on the lots in the TE District, as would the existing electric substation on Lot 6. However, any building within the TE District that includes residential, industrial, storage, general retail, or restaurant uses would require conditional use review at the time the development is proposed. The applicant has indicated that some of the development in TE District may indeed include residential or retail uses. Further, the applicant has indicated interest in possibly accommodating a library within this portion of the site, which would require either a zoning text amendment to allow libraries in the TE District, or a zoning map amendment at a future date. Regardless of whether future uses are permitted by right or a conditional use, development on these lots will need to adhere to site standards which prevent the placement of surface parking between the fronts of buildings and the abutting street.

On Lot 3 and Lot 5, which total 3.3 acres proposed for the TR-U2 District, the Special Area Plan recommends medium-density residential development (generally 16-40 units per acre) at a maximum height of three stories, with development closest to the single-family homes occurring at a lower density than development on the southern portion of the lots. The TR-U2 District technically allows for development at a density of up to 70 small (one or two-bedroom) units per acre or 48 three-bedroom units per acre, which is greater than the Plan recommends. These two lots are the only lots where the proposed zoning could be considered to be inconsistent with Plan recommendations.

On one hand, any future multi-family development on these properties with more than eight dwelling units would need to be reviewed as a conditional use. The applicant has indicated that three stories would be the maximum they would later propose for these two lots, and height is an aspect of the proposal that can be limited through the conditional use process. On the other hand, since this is the opportunity to rezone the site, and there is no guarantee that the applicant will serve as the lead developer of these properties, it may be advisable to consider a residential zoning district with a lower maximum density that would be more consistent with adopted plans. As provided in MGO Section 28.182(5)(a)4.a, the Plan Commission may recommend the adoption of a map amendment changing the zoning classification of the property in question to any classification that is more restrictive than that proposed by the applicant. In this case, staff recommends that the Plan Commission instead approve the rezoning of Lot 3 and Lot 5 into the TR-U1 District.

The TR-U1 District allows for residential development at a density of 43 one or two-bedroom units per acre, or 33 three-bedroom units per acre, which is generally consistent with Plan recommendations for this area. The TR-U2 District may indeed work as well for all or a portion of these lots and provide flexibility for creative well-designed buildings on these lots at some point in the future. Further, the higher density might provide the economic capacity to support the costs of structured or underground parking, which may not otherwise be feasible. However, without an opportunity to review future development proposals and evaluate the interface between these properties and the single-family homes to the north, staff believes that the TR-U1 District is a better zoning fit for Lot 3 and Lot 5 at this time.

On Lot 4, the TR-U2 District is generally consistent with the Plan, where more intense residential, commercial, or mixed-use buildings were recommended along the Cottage Grove Road frontage. On this property, which is nearly an acre in size, a maximum of 69 small units could be built in one or more buildings. Development at a height of three to four stories, which could likely accommodate this number of units, would be generally consistent with the Plan, and could help to frame the new entry to the site opposite Maher Avenue.

Finally, all proposed Outlots lie within the area recommended for the TR-C3 District, one of several appropriate zoning districts utilized in many areas throughout the City for small open space and stormwater management uses, which are typically zoned similarly to adjacent developed areas.

Zoning Map Amendment Standards

Staff believes that the proposed zoning map amendment can meet the relevant standards in MGO Section 28.182, as it is generally consistent with the Comprehensive Plan and the Royster-Clark Special Area Plan. However, at this time, staff recommends changing the proposed zoning for Lot 3 and Lot 5 from TR-U2 to TR-U1, because absent detailed development plans to review, the TR-U1 District seems to be a better fit to assure implementation of Plan recommendations for Medium-Density Residential uses in this area.

Subdivision Requirements

Staff believes that the proposed Preliminary and Final Plat of Royster Clark are consistent with the requirements for Subdivisions in MGO Section 16.23(3). Staff believes that the remediation activities and continued oversight by State agencies for the property ensure that the use of the property as proposed will not endanger the safety and welfare of future landowners and residents. The size and shape of all created lots and outlots are consistent with underlying zoning requirements in the proposed districts. Further, the Plat will support the efficient and relatively compact mixed-use redevelopment of this 33-acre property in an area already served by utilities, multi-modal transportation facilities, and public safety infrastructure.

Conclusion

The proposed subdivision and zoning map amendment are the next step toward implementation of the Royster-Clark Special Area Plan, which was adopted in October 2009 after a lengthy public process with broad support from neighbors, area businesses, and other participants. The RDC team has demonstrated strong dedication to enhancing this part of Madison through careful remediation of this challenging property. They have worked well with neighbors, staff from City and State agencies, and others for many months, and should be commended for utilizing the adopted Plan to guide their redevelopment. Subject to the conditions from reviewing agencies, the Planning Division supports the subdivision and zoning map amendment requests, and looks forward to continuing to work with the applicant and adjacent neighborhoods on subsequent development reviews.

Recommendation

Major/Non-Standard Conditions are Shaded

Planning Division Recommendation (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the standards for Subdivisions and Zoning Map Amendments can be met and forward the following items to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the conditions recommended by the reviewing agencies:

Preliminary and final plat of Royster Clark Development at 310-402 Cottage Grove Road and 904 Dempsey Road, and the following Zoning Map Amendments Amendment 00052, rezoning property from A (Agriculture) to TE (Traditional Employment); Amendment 00053, rezoning property from A to TR-U2 (Traditional Residential – Urban 2) District; and Amendment 00054, rezoning property from A to TR-C3 (Traditional Residential – Consistent 3) District.

Recommended Conditions of Approval

Planning Division (Contact Heather Stouder, 266-5974)

1. On the final plat submitted for staff review and approval, “Street A” between its intersection with Royster Avenue and its northern approach to the traffic circle shall be narrowed from a 66-foot right of way to maximum 60-foot right of way, as this street will be designed as a local street to deter cut-through traffic. Details for this change shall be coordinated with City Engineering and Traffic Engineering staff prior to submittal of the plat for recording.

Note: When designed, the curb-to-curb pavement width of this street will likely be between 30 and 32 feet, with room for on-street parking, a public terrace, and a public sidewalk on both sides.

2. Lot 3 and Lot 5 shall be rezoned into the Traditional Residential-Urban 1 (TR-U1) District, rather than the proposed TR-U2 District. When development is proposed, a rezoning of all or a portion of these properties to the TR-U2 District may be proposed again, but the relationship between the proposed buildings and the area zoned for single-family homes to the north would need to be carefully reviewed as part of a future review.

City Engineering Division (Contact Janet Dailey, 261-9688)

3. The location of monitoring wells must be overlain onto the approved plat map and provided to the City. Monitoring wells may only remain in the public right of way subject to City of Madison approval and will require a privilege in streets agreement.
4. Zones of residual soil contamination and groundwater plumes above the NR 140 ES must be overlain onto the approved plat map and provided to the City.
5. The City is still investigating how residual groundwater contamination will impact potential dewatering of site buildings. Dewatering may be required to go to the sanitary sewer.
6. Contaminated soil encountered during site construction must be handled and disposed of in compliance with all WDNR regulations.

7. Per MGO, the following note shall be placed on the face of the plat:

"Subsoil information indicates that the basement of structures on all the lots within this plat are to be at elevation 851 or higher or that a structural plan of the structure's foundation shall be submitted to the Director of the Building Inspection Division for approval with the application for a building permit as required information."

The elevation of the basement, as described in the paragraph to be placed on the plat, shall be a minimum of two (2) feet higher than the elevation of the ground water table.

8. The proposed sanitary sewer is shown as being connected to the City's existing 21-inch diameter sewer and the plan calls for the connection at the invert of the manhole. Connection of proposed sewer will need to be raised 21 inches (1.75ft). This revision will likely have impacts on the proposed utility improvements.
9. The Applicant shall enter into a maintenance agreement for the maintenance of the roundabout landscaping and median landscaping.
10. Define the use of Outlot 1 and 3 on the face of the plat. Define if these lots are intended to be private or public ownership.
11. The cul-de-sac on Royster Ave shall terminate in a circular turnaround having a minimum right-of-way diameter of one hundred (100) feet and minimum outside curb diameter of seventy-two (72) feet in residential areas. The reverse curve on a cul-de-sac shall have a fifty (50) foot minimum radius when the bulb is centered on the street and a one hundred (100) foot minimum radius when the bulb is offset.
12. The Developer shall continue to coordinate the right of way needs for Cottage Grove Road and the interior A Street with City Engineering, Traffic Engineering and Planning. The Developer shall revise and dedicate the right of way on Cottage Grove Road as required by the City Engineer.
13. The driveway location on Lot 57 may be difficult due to the proximity of the proposed roundabout. It is suggested that the lot layout be modified to provide more room from the splitter islands to allow for a reasonable drive apron.
14. Depending on the timing of the construction the City may construct the public improvements for the plat in 2013 or 2014. This work would be constructed as an assessable project with all costs associated with the construction, permitting, engineering and other activities related to the public improvements being assessed 100% back to the Developer. Construction of the proposed improvements on Cottage Grove Road would likely be constructed and assessed under a separate construction contract and would be assessed in accordance with the City's Assessment Policy.
15. If the City constructs the public improvements for this development the Developer shall provide for temporary limited easement over all lots within the plat. The temporary easements shall expire upon completion of the construction of the streets and infrastructure improvements and the completion of the warranty period for said improvements.
16. The Developer shall be responsible for the installation and the construction coordination of the private utilities, including but not limited to gas, telephone, and electric and/or fiber optic. The Developer's Contractor shall coordinate and work cooperatively with the City's contractor during the construction of the private utility, grading and public works infrastructure construction.
17. The Developer shall hire a consultant to design the proposed public stormwater management / drainage facility within the plat. The Developer shall provide the design for review and approval prior to the City signing off on the plat. The City shall construct and assess the public stormwater management / drainage facility with the assessable project.

18. The Developer shall be responsible to obtain all applicable permits for crossing the rail line with public improvements. Alternatively, if the City obtains permits, the Developer shall be required to pay for all City expenses for time and costs associated with obtaining the permits.
19. The Developer shall pay all MMSD charges prior to the City signing off on the plat.
20. The Developer shall execute a waiver of hearing and notice for the proposed infrastructure improvements on Cottage Grove Road and the streets interior to the plat prior to the sign off of the plat.
21. The Developer shall enter into a City/Developer agreement for the installation of public improvements required to serve this plat. 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 without the agreement executed by the developer (MGO 16.23(9)c).
22. 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 (MGO 16.23(9)(d)(2) and 16.23(7)(a)(13)).
23. The Developer shall construct Madison Standard street and sidewalk improvements for all streets within the plat (MGO 16.23(9)(d)6).
24. All proposed street names shall be approved by the City Engineer. Applicant shall contact Lori Zenchenko (608-266-5952) with street name requests (MGO 16.23(8)(a)12).
25. 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 Preconstruction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. The applicant shall demonstrate compliance with MGO Section 37.07 and 37.08 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.
26. The following notes shall be included on the final plat (MGO 16.23(8)(9)(b)2):
 - 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.

Note for Engineering Staff: Verify zoning setbacks and drainage easements are not in conflict.

27. 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 (MGO 16.23(9)(D)).

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. NOTE: It is required that this plan shall be stamped by and Registered Land Surveyor.

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

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.

28. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to:
- a) Reduce TSS off of the proposed development by 80% when compared with the existing site.
 - b) Provide oil & grease control from the first 1/2" of runoff from parking areas.
 - c) Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website, as required by MGO Ch. 37.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff

29. Effective January 1, 2010 The Department of Commerce's authority to permit commercial sites for stormwater and erosion control has been transferred to the Department of Natural Resources. As this site is greater than one (1) acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> The City of Madison cannot issue an erosion control and stormwater management permit until concurrence is obtained from the WDNR (NOTIFICATION).
30. 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) (POLICY).

31. The Developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat (MGO 16.23(9)(d)).
32. 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 (MGO 16.23(9)(d)(4)).

Traffic Engineering Division (Contact Eric Halvorson, 266-6572)

33. The Traffic Signal and Street Light declaration of conditions and covenants shall be executed and returned to City Traffic Engineering.
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.

Zoning Administrator (Contact Pat Anderson, 266-5978)

35. Proposed lots shall be subject to the General Provisions for Residential Districts Section 28.031 as well as usable open space Section 28.140 of the Madison General Ordinances.

Fire Department (Contact Bill Sullivan, 261-9658)

36. Provide the following information to the buyer of each individual one- or two-family lot: Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: <http://www.homefiresprinkler.org/Consumer/ConsHome.html>

Parks Division (Contact Kay Rutledge, 266-4714)

37. The developer shall pay \$188,085.96 for park dedication and development fees for the new 51 SF units shown in the plat (see below). The fees for the MF units identified for lots 3, 4 and 5, and any others, will be assessed when the multi-family residential development is proposed and approved. The park dedication requirement for a multi-family unit equals 700 square feet per dwelling unit. The fee in lieu of parkland dedication for multi-family units is \$1,708.00 per unit in 2013. The park development fee for a multi-family unit in 2013 is \$645.40 per dwelling unit. Park impact fees are adjusted on January 1 of each calendar year, and the park impact fees due at the time of building permit issuance may be higher than the amounts stated above to reflect these annual adjustments.

Fees in lieu of dedication = (51 SF @ \$2,684.00)= \$136,884.00
Park development fees = (51 SF @ \$1,003.96) = \$51,201.96
Total fees = \$188,085.96

38. The developer must select a method for payment of park fees before signoff on this approval. This development is within the Olbrich park impact fee district (SI25). Please reference ID# 13123 when contacting Parks Division staff about this project.

39. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
40. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in section 107.13 of *City of Madison Standard Specifications for Public Works Construction* - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>

Water Utility (Contact Dennis Cawley, 261-9243)

41. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21. This property is not in a Wellhead Protection Zone.

Real Estate (Contact Jenny Frese, 267-8719)

42. City Real Estate staff may have additional comments for the applicant following review of the complete title report for the property.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit a response to this request.