



Department of Planning & Community & Economic Development

## Planning Division

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April 11, 2014

Dan Day

D'Onofrio Kottke & Associates

7530 Westward Way

Madison, Wisconsin 53717

Brian Munson

Vandewalle & Associates

120 E. Lakeside Street

Madison, Wisconsin 53715

RE: Approval of a second substitute request to rezone 5899-5901 Milwaukee Street from A (Agricultural District) and PD (Planned Development District) to TR-P (Traditional Residential-Planned District) and TR-U1 (Traditional Residential-Urban 1 District) and approval of a preliminary plat and final plat creating create 198 single-family lots, 8 lots for four-unit residences, 15 lots for two-family-twin residences, 1 lot for 100 future multi-family units, 9 outlots to be dedicated to the City for 2 parks, an alley, stormwater management and overhead water storage, and 1 outlot for future development (MRCEV Acquisitions, LLC/ Veridian Homes).

Gentlemen;

At its April 8, 2014 meeting, the Common Council **conditionally approved** your client's zoning map amendment and the preliminary plat and final plat of North Addition to Grandview Commons subject to the following conditions of approval to be addressed prior recording of the final plat of the subdivision:

**Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following forty-five (45) items:**

1. The applicant shall coordinate with all of the utilities and place on the final plat all required Public Utility Easements required by the utility companies to properly serve the development.
2. A conveyance from the applicant to the City will be required due to the western portion of proposed Outlot 44 that is not within the current boundary of Lot 1 of Certified Survey Map 10460. Coordinate this conveyance with the Office of Real Estate Services.
3. The four newly submitted street names are not approved as new street names, as they do not follow the street naming policy. The applicant shall submit new naming suggestions to Lori Zenchenko for approval ([lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com)).

4. The Access and Public Water Main Easement per Document No. 3236045 was to be released per a note on the plat of Grandview Commons. This easement shall be shown on the plat. It shall be shown, dimensioned and noted on the final plat if it is not released prior to final plat sign off and recording. Coordinate with City staff the timing and the setting up of a real estate project for the release of the easement.
5. The Public Utility Easements per Document No. 3913261 and the Easements for Public Stormwater Management purposes per Document No. 3963053 shall be shown on the preliminary plat. Coordinate with City staff to set up possible real estate projects for the partial release of these easements. The easement areas not to be released shall be shown, dimensioned and pertinent documents numbers labeled on the final plat. All releases shall be recorded prior to final plat sign off and recording.
6. The plat abuts lands taken by the Wisconsin Department of Transportation (Milwaukee Street in the northwest corner of the plat) for Interstate 39-90-94. The applicant shall provide written confirmation from WisDOT whether or not the plat is subject to review per Wisconsin Administrative Code TRANS 233. If it is, add the Wisconsin Department of Transportation to the certificates as an objecting agency.
7. The "Rear Building Line" as labeled on the map portion of the plat could be misinterpreted. Add notations to the plat map that are clear that the building restriction area is in the rear of the lots, not within the 85-foot setback area.
8. Provide all "recorded as" information from documents of record along the plat boundary on the preliminary and final plats.
9. The Public Water Main and Access Easements per Document Nos. 3173520 and Certified Survey Map 10460 shall not be released until Milky Way and Aries Way public improvements have been constructed and accepted by the City of Madison.
10. Note 4 should be revised to note Lots 901-933 instead of 900-932.
11. Revise all the temporary turnaround easement text as follows: "Temporary Limited Easement benefitting the City of Madison for public temporary turnaround improvement purposes. Said Easement shall expire upon the extension of <street name> lying <East West, North, South> of this plat and the removal of the public temporary turnaround improvements within the easement area."
12. Provide required monumentation at the block corners and points of curvatures as required by Statute.
13. The dedication note for Outlot 45 on Sheet 6 has been clipped. Modify the sheet to show the note in its entirety.
14. The Grading Easement under Note 12 will only be partially released. Modify the note to reflect this.
15. Add a 15-foot radius on "D" Street where it is anticipated that it will intersect with the future extension of Jupiter Drive.

16. Verify with City Engineering and Zoning that the proposed zoning lot line setbacks are not in conflict with the proposed side yard drainage easements.
17. Provide a plan for the logical construction sequence for the plat. Currently no sanitary sewer service exists on the north side of the plat until it is extended through the Eastlawn plat.
18. NOTE: Homburg Contractors have expressed concern of the new lots directly adjacent to the existing active quarry.
19. Reconstruction of the existing access to the City's water tower will be necessary. Work with Water Utility and City Engineering on the coordination and timing of the reconstruction. Access to the existing water tower shall be maintained at all times.
20. The developer shall be responsible for the cost to construct the southern side of Milwaukee Street adjacent to this plat in future phases to the design approved by the City Engineer and City Traffic Engineer. The improvements shall generally consist of 14 feet of pavement, curb and gutter, proportionate share of storm sewer, turning lanes, street lighting, restoration and other incidentals as required on Milwaukee Street as it borders this subdivision.
21. The proposed private sidewalk and sidewalk easements adjacent to Outlots 39 and 41 shall be within private property and not within the publicly dedicated outlots. These sidewalks shall be privately maintained.
22. The developer shall construct a temporary cul-de-sac on Street "A", Driscoll Drive and Ragan Street in accordance with the plans approved by the City Engineer. If the temporary turnarounds can be accommodated within the right of way the temporary easements may be released after the improvements are constructed.
23. A Phase I Environmental Site Assessment shall apply to all lands dedicated to the public. Submit reports to Sally Swenson of City Engineering at 266-4862 or [sswenson@cityofmadison.com](mailto:sswenson@cityofmadison.com).
24. Saturn Drive shall continue west of Milky Way to the curve along Lots 945/946 & 922/923.
25. 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 without the agreement executed by the developer.
26. 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 feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
27. This development is subject to impact fees for the Door Creek Phase II Impact Fee District. All impact fees are due and payable at the time building permits are issued. The following note shall be put the

face of the plat: **"Lots/ buildings within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."**

28. This property has deferred assessments for the Heritage Prairie Sanitary Sewer assessment district that shall be paid in full as a condition of the subdivision approval.
29. The plat shall show a temporary limited easement for a temporary cul-de-sac on Street "A", Driscoll Drive, and Ragan Street having a radius of 60 feet and a reverse curve radius of 100 feet. The easement(s) shall expire when the streets are extended
30. The developer shall construct Madison standard street and sidewalk improvements for all streets within the plat.
31. The developer shall establish a 40-foot building setback line for all lots on the plat adjacent to Milwaukee Street.
32. The applicant shall construct sidewalk along Milwaukee Street according to a plan approved by the City Engineer.
33. The developer shall make improvements to Milwaukee Street to facilitate ingress and egress to the plat.
34. An erosion control plan and land disturbing activity permit shall be submitted to the City 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 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.
35. 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.
  - 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.

NOTE: In the event of a City of Madison Plan Commission and/or Common Council approved re-division 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.

Information to Surveyor's: 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.

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

The following note shall accompany the master stormwater 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 the City Engineering Division's approval of this plan."

37. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to: detain the 2- and 10-year storm events; control 80% TSS (5 micron particle) off of new paved surfaces; provide infiltration in accordance with Chapter 37 of Madison General Ordinances, and; 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 Chapter 37 MGO.
38. Effective January 1, 2010, the Wisconsin Department of Commerce's authority to permit commercial sites for stormwater and erosion control has been transferred to the Wisconsin Department of Natural Resources (WDNR). As this site is greater than one acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the WDNR prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt of the WDNR at 273-5612 to discuss this requirement. The City of Madison cannot issue an erosion control and stormwater management permit until concurrence is obtained from the WDNR.

39. A minimum of 2 working days prior to requesting City Engineering signoff on the plat, the applicant shall contact Janet Dailey (261-9688) to obtain the final stormwater utility charges that are due and payable prior to subdivision 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).
40. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
41. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
42. 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. Note: Land tie to two PLS corners required.
43. 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 in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. The City has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City Engineering Division website for current tie sheets and control data ([http://gis.ci.madison.wi.us/Madison\\_PLSS/PLSS\\_TieSheets.html](http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html)). If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact the City Engineering Division for this information.
44. 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 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: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; 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).

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

\*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.

45. In accordance with Section s.236.20(2)(c)&(f), Wisconsin Statutes, the applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements which are being conveyed by the plat. Identify the owner and/or benefiting interest of all easements.

**Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following eight (8) items:**

46. The applicant shall dedicate sufficient right of way for installation of a neighborhood roundabout to be designed by the Traffic Engineering Division at the intersection of Milky Way and Saturn Drive. The current right of way as shown on the Plat does not appear adequate. Milky Way is expected to convey substantial collector traffic and the neighborhood roundabout will help to slow traffic on the roadway. The current right of way as shown on the plat does not appear adequate.
47. Milky Way is expected to convey substantial traffic through a single-family residential development. The applicant shall enter into a developer's agreement with the City Engineering Division and Traffic Engineering Division to include the installation of traffic calming features on Milky Way.
48. Vehicular access will be served solely from Milwaukee Street until future development is constructed to the south. Milwaukee Street is currently a rural cross section at the location Milky Way will take access. To mitigate vehicular and pedestrian impacts, the developer shall enter into a developer's agreement with the City Engineering Division and the Traffic Engineering Division to construct the following improvements prior to occupancy of the development:
- a.) A westbound left-turn lane with storage for 5 vehicles on Milwaukee Street at Milky Way.
  - b.) An eastbound deceleration lane from Milwaukee Street onto Milky Way.
  - c.) An ADA-accessible bus stop on both the north side and south side to serve the development.
  - d.) Pedestrian refuge islands on the west and east side of the intersection to provide safe crossing to the bus stop located on the north side.
49. No vehicular access to Milwaukee Street shall be allowed for Lots 761-768, inclusive. This restriction shall be shown graphically and as a note on the final plat.
50. A streetlight declaration of conditions and covenant shall be executed and returned prior to final signoff of the plat.
51. Utility easements shall be provided on the final plat between the lots in the following table. The applicant shall show a detail drawing of the 12-foot utility easement dimensions and lot lines on the face of the final plat. [Note: The final location of these easements will be reviewed between the applicant and staff and may be adjusted to reflect iterative changes to the subdivision prior to sign-off of the final plat for recording.]

Between Lots	Between Lots	Between Lots	Between Lots	Between Lots	Between Lots
761-762	790-791	818-819	848-849	890-891	Southerly 10' of 933

762-763	793-794	821-822	859-877	894-895	935-936
764-765	795-796	825-826	860-861	901-902	955-956
766-767	800-801	835-836	864-Outlot 46	912-913	959-960
769-OL 39	804-815	837-838	867-868	915-916	965-966
Easterly 10' of 782	808-809	839-858	879-880	922-Outlot 48	969-970
789-803	816-829	Easterly 10' of 768	888-889	925-926	

52. The developer will need to demonstrate/provide how private streetlights will be installed and maintained in the public alley. The plat shall provide the following note on the face of the plat: "The City will not install lighting in the alley(s), but the developer or property owners may request the City to approve a private light(s) in the alley right of way. Such private light(s) to be operated and maintained by private interests."

53. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following three (3) items:**

54. Work with Planning and Zoning staff to ensure that the final TR-P master plans meets the requirements of MGO Section 28.053(6).

55. Note: Future development of the TR-U1 lot shall be subject to Section 28.032 (Table 28C-1) of the Zoning Code and other applicable ordinances.

56. Future changes to the TR-P Master Plan shall follow the requirements of Section 28.053(8).

**Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following two (2) items:**

57. All public water mains and water service laterals shall be installed by a standard City of Madison Subdivision Contract. The Water Utility will not need to sign off the final plans, but will need a copy of the approved plans.

58. All operating private wells shall be identified and permitted by the Madison Water Utility and all unused private wells shall be abandoned in accordance with MGO Sec. 13.21.

**Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following two (2) items:**

59. Per MGO Section 34.503 and IFC 503.2.5: 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 Section 34.20 for additional information.



60. Provide the following information to the buyer of each individual lot: "The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e)."

**Please contact Tim Sobota of Metro Transit at 261-4289 if you have any questions regarding the following three (3) items:**

61. In coordination with public works improvements, the applicant shall install and maintain a concrete passenger boarding pad on the south side of Milwaukee Street, east of the Milky Way intersection. The concrete pad shall occupy the full distance of the terrace, measure a minimum of 10 feet in width parallel to the street, and lie flush between the sidewalk and the top of curb.
62. In coordination with public works improvements, the applicant shall install an accessible crosswalk and curb ramps, connected to a concrete boarding surface, on the north side of Milwaukee Street, opposite the Milky Way intersection.
63. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review and approve the design.

**Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following five (5) items:**

64. The North Addition to Grandview Commons plat as currently proposed includes 198 single-family lots, 15 Twin-Home lots (30 two-family units), 8 four-unit multi-family lots (32 multi-family units) and that Lot 760 will contain up to 100 multi-family units. The parkland dedication requirement for a single-family or two-family lot is 1,100 square feet and for a multi-family unit is 700 square feet per MGO Sec. 16.23(8)(f) and 20.08(6); the total dedication requirement for this subdivision is 343,200 square feet. Parkland dedication as proposed in the revised preliminary plat received March 13, 2014 includes Outlot 43 (expansion of North Star Park) and Outlot 46 (new neighborhood park), which locations are generally consistent with the Sprecher Neighborhood Development Plan. With the dedication credit for the 15 replatted lots from the Grandview Commons plat, the parkland dedication requirements for this subdivision have been met.
65. Park Development Impact Fees per MGO Sec. 20.08(2) will be required for all new residential development in this subdivision. The developer must select a method for payment of park impact fees prior to signoff of the final plat. This development is within the Door Creek impact fee district (SI23). Please reference ID# 14103 when contacting Parks Division staff about this project.
66. No underground utility easements shall be located within either park unless approved by the Parks Division.
67. Fencing of lots that back onto land that is being dedicated as parkland is required; the fencing should be located on the single-family lots with a requirement that the fencing be maintained by the property owner.
68. 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.

**Please contact Jenny Frese of the Office of Real Estate Services at (608) 267-8719 if you have any questions regarding the following seven (7) items:**

69. Prior to final sign-off, the Owner's Certificate(s) on the final plat shall be executed by all parties having an interest in the property, pursuant to MGO Section 16.23(5)(g)4 and Wis. Stats. 236.21(2)(a). 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. Certificates shall be prepared with the ownership interests consistent with the most recent title report.
70. Certificates of consent for all mortgagees/vendors shall be included following the Owner's Certificates and executed prior to final plat approval. Although ORE, Inc. signs an Owner's Certificate, they will also need to sign a Consent of Mortgagee for the mortgage assignment.
71. Please replace 2013 with 2014 in all certificates. The Common Council certificate can be updated to include File ID #32285.
72. An Environmental Site Assessment is required because of the public dedications.
73. Per Chapter 236.21(3) of Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes and special assessments that are accrued or delinquent for the subject properties prior to final approval of the plat for recording. Note: Special Assessments are owed for parcel ID 0710-023-0099-6 in the amount of \$17,798.14.
74. Stormwater management fees, if any, shall be paid in full prior to final sign-off.
75. The following revisions shall be made to the plat prior to final approval and recording:
  - a.) Expand Note #9 to include the restrictions included in the vesting deeds. Provide a copy of the Title Commitment referenced in Warranty Deed 4917975, so that exceptions 1-18 can be considered.
  - b.) Expand Note #9 to include both Memorandums of Purchase Agreement.
  - c.) Coordinate with City staff as to whether Note #3 on Sheets 10, 11 and 12 of the Grandview Commons Plat needs to be included in this plat.
  - d.) Minor typo in Note #9 DCC: Document No. 3678367 should be "3678368".
  - e.) Remove the word "Restrictions", as well as Document No. 4704670, from the note that describes DCC 3867658 and 3867659.
  - f.) Create a separate note to describe DCCR Document No. 4704670.
  - g.) Coordinate with City staff regarding the easements recorded as Document Nos. 4135490 and 3236045 that are described on the proposed, and former, plat as "to be released". A discussion about the timing of these releases is necessary.

- h.) The Public Water Main and Access Easement for the benefit of the City water tower Outlot, created by Warranty Deed 3173520 and seen on CSM 10460, will need to remain in place until such time that Milky Way is constructed. Please remove the text "to be released" from the label.
- i.) Coordinate with City staff regarding the potential need to set up real estate projects for the partially release of certain public utility easements and Storm water drainage easements that were recorded by separate Document Nos. 3913261 and 3963053, after the Grandview Commons plat was recorded. If there is no need for their release, please depict them and label them by document number on the final plat.
- j.) If a public utility easement release is necessary, please contact all applicable utilities with the right to utilize said easement area to request a recorded release of their interests. After the releases are recorded, the City will record a release of the same. Place a note on the final plat that describes the easements that were released, including the document numbers for all corresponding releases.
- k.) The lot lines for proposed Outlot 47, created for the City of Madison water tower, do not match the existing lot lines. Either reconfigure the lots along proposed Milky Way, or coordinate with City staff regarding the necessary conveyances to make ownership interests consistent with lot lines.

**Please contact my office at 261-9632 if you have any questions about the six (6) items, including the 3 conditions added or modified by the Plan Commission at its March 24, 2014 hearing on the project:**

- 76. That the TR-P zoning master plan be amended prior to approval of the final plat by the Planning Division for recording to include a plan for building placement for the four-unit buildings proposed on Lots 761-768 that includes the general location of future driveways, a building setback line from Milwaukee Street and Driscoll Drive, the minimum and maximum number of stories and feet above grade for those buildings, and provides for the future buildings to address Milwaukee Street in a fashion similar to how existing and planned multi-family units in the Eastlawn and Nelson Addition to Rustic Acres developments to the east of the project address Milwaukee Street.
- 77. That the final plat be revised prior to approval of the final plat by the Planning Division for recording to include a note restricting the future development of Lot 760 to no more than 100 dwelling units consistent with the application materials.
- 78. That the following note to be included on the face of the final plat: "Lots 900-932 have been platted with additional lot depth to provide a buffer adjacent to the existing quarry. No principal or accessory buildings or structures (pools, gazebos, etc.) shall be permitted between the lot line adjacent to the quarry and the rear building line on those lots." The developer and quarry operator shall work together to agree upon a barrier to be erected and maintained between the homes and the existing quarry edge
- 79. The final plat shall include the following disclosure regarding noise and vibration generated by the nearby Interstate 39-90 corridor, which shall also be incorporated into any private subdivision covenants for this development: *"The owners and occupants of the lots in this subdivision acknowledge the presence of high levels of noise and vibration resulting from the nearby Interstate*

*highway corridor and shall hold harmless from damages the Wisconsin Department of Transportation and any municipality in whose jurisdiction these lots are located from any impacts on the use, enjoyment or value of these properties resulting from existing or future highway traffic volumes."*

80. Homburg Contractors have expressed concern to City staff about the new lots directly adjacent to their existing active quarry. The final plat shall include a statement to future property owners and occupants of the subdivision regarding the potential impacts on lots in this plat from existing and future dust, noise and vibration generated by the existing adjacent quarry. The final note/ statement shall be approved by the Planning Division prior to recording of the final plat.
81. Encourage the applicant to extend a multi-use path from "B" Street south to North Star Park over proposed Outlots 41 and 42.

**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. The approval of this final plat shall be null and void if not recorded in twelve (12) months from the date of this letter. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks  
Planner

cc: Janet Schmidt, City Engineering Division  
Eric Halvorson, Traffic Engineering Division  
Kay Rutledge, Parks Division  
Pat Anderson, Assistant Zoning Administrator  
Bill Sullivan, Madison Fire Department  
Dennis Cawley, Madison Water Utility  
Jennifer Frese, Office of Real Estate Services  
Dan Everson, Dane County Planning & Development