



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

Madison Municipal Building, Suite LL-100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

www.cityofmadison.com

January 23, 2015

Gary Woolever
Vierbicher Associates
400 Viking Drive
Reedsburg, WI 53959

RE: Approval of the Preliminary Plat of Tennyson Ridge for the future creation of 13 single-family lots and 1 multi-family lot at 1818-1910 Tennyson Lane

Dear Mr. Woolever:

At its January 20, 2015 meeting, the Common Council conditionally approved your client's preliminary plat of "Tennyson Ridge" subject to the following conditions of approval to be addressed through the final plat of the subdivision.

Please note, the approval letter containing the approval conditions for the concurrently approved Zoning Map Amendment and Conditional Use for a portion of 1910 Tennyson Lane has been provided to Tom Sather, the applicant for those items.

Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following twenty-nine (29) items:

1. A private storm sewer that conveys storm water from Lot 1 over the eastern side of Lot 2 to connect to the future storm sewer along Tennyson Lane has been proposed for a site plan submitted for approval of Zoning and Conditional Use. A private storm sewer easement over proposed Lot 2 benefitting Lot 1 for this storm sewer shall be provided on the plat.
2. A Temporary Limited Easement to the City of Madison for a temporary turn around shall be provided at the end of Tennyson Ridge Lane. Coordinate the size and dimensions of the temporary easement with City of Madison Engineering Staff. Use the following language: "Temporary Limited Easement benefitting the City of Madison for temporary turnaround improvement purposes. Said Easement shall expire upon the extension of Tennyson ridge Lane Street to the North of this plat and the removal of the public temporary turnaround improvements within the easement area."
3. If Temporary Limited Easements for Grading and sloping are required from the adjacent property owner at the ends of Eliot Lane and Tennyson Ridge Lane and the Developer is unable to secure the easements, the City may allow grading easements within the plat to allow for the construction of the street. These easements shall not be encumbered by utilities or other impediments and shall be reserved for grading and sloping and drainage as necessary.

4. The Developer shall be required to obtain a 20ft Permanent Limited Easement for sloping and grading required over the lands adjacent to 1936 Tennyson Lane (lands to the east) to permit the construction of the street and utility improvements of Tennyson Ridge Lane.
5. The plat shall note that Lots 7 – 14 of this plat are subject to the requirement of a tree preservation plan per Certified Survey Map Number 13716. Coordinate the location of the drainage easements with Engineering staff so the tree preservation plan or easement and the drainage easements do not coincide. Release of the original 12ft wide drainage easement from Lot 4 of existing CSM 13716 may be required.
6. Applicant shall coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final plat.
7. The developer shall coordinate with the owner of Lot 2, CSM No. 13716 to dedicate the necessary area providing the required 15 foot radius return at the northeast quadrant of the intersection of Tennyson Ridge Lane and Tennyson Lane.
8. All buildings and improvements shall be labeled "To be Demolished."
9. Modify the plat to show the Drainage Arrows, per Certified Survey Map No. 13716.
10. Show the Temporary Limited Easement for the temporary cul de sac at the north end of Eliot Lane per Certified Survey Map No. 13716.
11. A note shall be added to the plat that lands within the plat are subject to Declaration of Conditions, Covenants, and Restrictions per Document No. 5069640.
12. Submit naming suggestions for the proposed street to Lori Zenchenko (Lzenchenko@cityofmadison.com). The proposed platted street name Tennyson Ridge Ln is not acceptable. The USPS considers Ridge and Lane to be suffixes and double suffixes are not allowed per USPS and City Ordinance. Moreover, Tennyson is already used as a base name for the adjacent street.
13. The Applicant and their respective consulting engineer(s) shall be required to meet with Engineering staff to discuss the storm water management requirements for this plat and for the existing CSM No. 13716. No development can occur on the lands of the original CSM until the stormwater management issues are resolved with regards to the proposed plat and multifamily development site.
14. The Developer shall enter into a Development Agreement for the construction of the public works improvements for the anticipated final plat including the new street (Tennyson Ridge Lane) and corresponding public infrastructure. The Developer for CSM 13716 has obtained approval for the Development Agreement for the construction of the public storm sewer and construction of Eliot Lane, as required by CSM. That agreement and approval may be modified to include Tennyson Ridge Lane and related infrastructure improvements. If that occurs, the project will require re-approval by the Board of Public Works and Common Council.

15. 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. (MGO 16.23(9)c)
16. 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))
17. The Developer shall construct Madison Standard street and sidewalk improvements for all streets within the plat/csm. (MGO 16.23(9)(d)6)
18. Extensive grading may be required due to steep roadway grades. (INFORMATIONAL)
19. 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 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.
20. The following notes shall be included on the final plat (MGO: 16.23(9)(d)2. (a. & b.)
 - 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 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.

21. 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:

- 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.

22. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: a) Detain the 2 & 10-year storm events; b) Reduce TSS off of the proposed development by 80% when compared with the existing site; c) Provide infiltration in accordance with Chapter 37 of the Madison General Ordinances; and d) 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 of the Madison General Ordinances.
23. 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)

24. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact Janet Schmidt (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)
25. The Developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat/csm. (MGO 16.23(9)(d))
26. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
27. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com). If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office to be attached to the monument condition report. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. Note: Land tie to two PLS corners required.
28. In accordance with Section s.236.34(1m) (c) which states a CSM shall be prepared in accordance with the plat requirements stated per s.236.20(2) (c) & (f), Wisconsin Statutes, the Applicant must show the type, location and width of any and all easements on the Plat or CSM. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements which are being conveyed by the Plat/CSM. Identify the owner and/or benefiting interest of all easements. Include any and all language required to properly and legally create any easement by the Plat or CSM
29. City of Madison Environmental Projects Staff have reviewed the subject site and determined that a Phase I ESA will be required of the applicant. The applicant shall provide one (1) digital and one (1) hard copy of an ASTM Phase I ESA prepared by an environmental professional. Staff review of this Phase I ESA will determine if a further investigative Phase II ESA is also required. Please submit any relevant Phase I and Phase II ESAs to Brynn Bemis (608-267-1986, bbemis@cityofmadison.com) for further review.(MGO 16.23(5)(g)(2))

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following three (3) items:

30. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights & traffic signals prior to sign off.
31. Utility easements shall be provided as follows between lots: 7-8, 10-11, and 13-14.

32. 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 compliance with the City's Zoning Code.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following item:

33. The proposed public water main shall be installed by Standard City of Madison Subdivision Contract. This property is not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:

34. Provide the following information to the buyer of each individual 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>
35. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Lt Scott Bavery (608) 576-0600.
36. A temporary turn around such as a circle or tee shall be provided until through streets are constructed.

Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following two (2) items:

37. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development in this subdivision. The developer must select a method for payment of park fees before signoff on the preliminary plat. This development is within the Warner park impact fee district (SI21). Please reference ID# 13120.2 when contacting Parks about this project.
38. 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:

39. Prior to approval sign-off, the Owner's Certificate(s) on the PP shall be executed by all parties having an interest in the property, pursuant to 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.
40. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to plat approval sign-off.
41. All consents and certifications required for the owner and any holder of interests in the subject lands shall be revised and included in the proposed plat in a manner that is in conformance with Wis. Stats. 236.21(2) and 236.29, i.e., include language ...surveyed, divided, mapped and dedicated....
42. For parcels located within the City of Madison, a Madison Common Council Certificate shall appear as follows:

Resolved that this plat known as _____ located in the City of Madison was hereby approved by Enactment Number _____, File ID Number _____, adopted on the ____ day of _____, 20____, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said plat to the City of Madison for public use.

Dated this ____ day of _____, 20____

Maribeth L. Witzel-Behl, City Clerk
City of Madison, Dane County, Wisconsin

43. City of Madison Treasurer Certificate: The following certificate must appear on the plat:

I, _____, being the duly appointed, qualified and acting Treasurer of the City of Madison, Dane County, Wisconsin, do hereby certify that, in accordance with the records in my office, there are no unpaid taxes or unpaid special assessments as of this _____ day of _____, 20____ on any of the lands included in the plat of _____.

David Gawenda, City Treasurer
City of Madison, Dane County, Wisconsin

44. Dane County Treasurer Certificate: A certificate for the Dane County Treasurer similar to the City of Madison Treasurer Certificate above shall appear on the plat.
45. Dane County Register of Deeds Certificate: A certificate for the Dane County Register of Deeds to enter time, date and recording location information shall appear on the plat.
46. A Phase 1 ESA is required for the public dedication areas, to be reviewed by Brynn Bemis in City Engineering. Findings and conclusions may or may not require a Phase 2 ESA.

47. Under 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to Plat recording. This includes property tax bills for 2014, if they are distributed prior to approval sign-off. Pursuant to Madison City Ordinance Section 16.23(5)(e)1 and Wis. Stats. 236.21(3), all special assessments shall be paid prior to approval sign-off.
48. Prior to Plat approval sign-off, please verify Janet Schmidt at City Engineering (261-9688) or Sharon Pounders at the Water Utility (266-4641) that storm water management fees are paid in full.
49. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish to the City's Office of Real Estate Services, as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (11-10-14) and the date when sign-off approval is requested. PLEASE NOTE: when the report is updated, please include only those lands within the CSM boundary. The surveyor shall update the plat with the most recent information available in the title report update.
50. The following revisions shall be made to the final plat prior to final approval and recording:
 - a. When the title report is updated, include only those lands within the CSM boundary. The surveyor shall reconcile the update with the PP and accurately reflect the contents of the title update.
 - b. Show the TLE for cul-de-sac at the end of Eliot Lane, as created by CSM 13716, and include associated Note #12 on Sheet 3 of said CSM.
 - c. Carry over all applicable Notes from CSM No. 13716.
 - d. Create and record, or show as being dedicated in the proposed plat, easements for public utility and/or drainage rights-of-way where necessary.
 - e. Record satisfactions or releases for all mortgages, liens, judgments, or other instruments that encumber the title of the subject lands, but where the purpose for such instrument has been satisfied, fulfilled, or resolved.
 - f. Include the following sentence with the dedicated utility easements depiction in the Legend: Utility Easements as herein set forth are for the use of public bodies, as well as private utilities having the right to serve the area.

Please contact my office at 267-1150 if you have any questions about the following three (3) items:

51. That single-family lots 2-6 be revised to have a minimum depth of 125 feet. The depth of these lots shall be consistent.
52. That the proposed Tennyson Ridge Lane be revised to have a minimum width of 66 feet as required in Section 16.23 (8)(a)8.a.v.

53. That a tree preservation plan and grading plan shall be provided with the final plat for proposed lots 7-14. The final plan will be reviewed to identify areas where existing trees may be preserved as part of the implementation of the subdivision. The tree preservation plan shall contain an inventory noting the general size and species of existing trees so that opportunities for tree preservation, tree replanting and any protective measures related thereto (including tree preservation easements, building lines/ envelopes, and alternative utility locations) may be noted on the final plat. Modifications to lot lines or reduction of lots may be required.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Any appeal regarding the plat, including the conditions of approval related thereto, must be filed with the Circuit Court within thirty (30) days from the date of this letter. If I may be of any further assistance, do not hesitate to contact me at 267-1150.

Sincerely,

Kevin Firchow, AICP
Planner

cc: Janet Dailey, 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