



Department of Planning & Community & Economic Development
Planning Division

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January 15, 2013

David Wolmutt
SmithgroupJJR
625 Williamson Street
Madison, Wisconsin 53703

Scott Henkel
Foth Infrastructure & Environment, LLC.
2514 S. 102nd Street, Suite 278
Lincoln Center II
West Allis, Wisconsin 53227

RE: Approval of a request to assign RDC (Research and Development Center District) and C (Conservancy District) zoning to approximately 103.7 acres of land located at 1004-1504 S. Pleasant View Road with a master plan to guide future development, and; approval of a preliminary plat and a final plat creating 14 lots for research park and office development and 4 outlots for private stormwater management and open space (Greg Hyer, University of Wisconsin Board of Regents).

Gentlemen;

At its January 8, 2013 meeting, the Common Council **conditionally approved** your client's request to zone 1004-1504 S. Pleasant View Road to the RDC(EC) and C(CN) zoning districts, and approved the master plan, preliminary plat and final plat of University Research Park–Pioneer Addition subject to the following conditions of approval from reviewing agencies. In order for the final plat to be approved for recording, the following conditions shall be met:

Please contact Janet Dailey of the City Engineering Division at (608) 261-9688 if you have questions regarding the following thirty-two (32) items:

1. Coordinate with City agencies the intentions of public versus private ownership of all outlots within this plat as well as the specific use types. The final plat shall clearly depict public or private ownership and use(s) for all outlots.
2. Coordinate with Traffic Engineering and City Engineering the location and plat creation of public and private pedestrian/ bicycle path and any other necessary public use easements. City Engineering shall provide appropriate easement conveyance language for inclusion on the final plat. Note which easements will be public or private on the face of the plat.
3. Coordinate approval of the proposed subdivision plat name with City agencies and the Dane County Register of Deeds. The proposed plat name, "University Research Park Pioneer Addition", seems too similar to the previously recorded "University Research Park–Pioneer" and may present

potential for frequent indexing errors. City Engineering recommends using a plat name “University Research Park–Pioneer 1st Addition”.

4. The developer shall dedicate right of way as necessary along Valley View Road to implement ingress/egress of site as determined by the City Engineer.
5. The developer shall dedicate right of way and temporary grading easements as necessary along S. Pleasant View Road to reconstruct S. Pleasant View Road (City Project 53W0898).
6. The developer shall meet with City staff to determine the required utility easements necessary along Valley View Road and S. Pleasant View Road, including the necessary 40-foot wide utility easement on S. Pleasant View Road which American Transmission Company will have exclusive rights to portions of.
7. The developer shall revise the bike path plan as determined by the City Engineer.
8. The developer shall construct sidewalk along Valley View Road in accordance with plans approved by the City Engineer.
9. The developer shall construct public sidewalk along the east side of Boyer Street.
10. The developer shall meet with the City Engineering Division to determine the location of the proposed public utilities, which may require abandonment of existing utilities in their current location. Final utility design will be determined by the respective City Agencies. Show all public utility easements on the plat.
11. The proposed double-mained sanitary sewer on Boyer Street and in the existing sanitary easement parallel to Boyer Street on proposed Lots 1 and 2, as shown on the preliminary infrastructure plans, is not desirable. It is suggested that the main be located within the street right of way.
12. The developer shall work with City Engineering to design the sanitary sewer within proposed Outlot 1. The existing building located at 8822 Nelson Crossing is connected SAS 2065-012, which needs to be maintained. The sanitary main will require a maintenance path in close proximity to the main to facilitate access for maintenance and repairs.
13. The relocation of the existing public sanitary sewer and public storm sewer within proposed Lot 2 will necessitate the relocation of the public utilities onto proposed Lot 2 parallel to the west plat line. They are currently shown on Outlot 3 of Linden Park, which is owned by MB Investments of WI, LLC in which the City has an easement for public access to the stormwater management basin but no rights for public utilities.
14. The overflow from the existing stormwater basin in Linden Park currently flows down the existing easement within proposed Lot 2. To provide a safe overflow the Developer shall be required to grade in a new swale on proposed Lot 2 parallel to the west plat line and may require additional grading on proposed Lot 2 along Ancient Oak Lane to safely handle any overland flow.
15. All culverts within the proposed 125-foot stormwater and drainage easement that serve the individual lots shall be privately owned and maintained.
16. 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.

17. 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.
18. This development is subject to impact fees for the Valley View Road Sewer and Drainage Impact Fee District and the Upper Badger Mill Creek Stormwater Improvement Impact Fee District. All impact fees are due and payable at the time building permits are issued.
19. This property has deferred assessments for the County Trunk Highway M, Prairie Hill Road, Valley View Road, Pleasant View Road & Mineral Point Road Reconstruction Assessment District - 2010 assessment district that shall be paid in full as a condition of the subdivision approval.
20. The right of way width on Boyer Street shall be 72 feet at the intersection of Valley View Road for 200 feet, and shall be 80 feet at intersection of S. Pleasant View Road for 200 feet.
21. The developer shall construct Madison standard street improvements for all streets and bike paths within the plat.
22. Extensive grading may be required due to steep roadway grades.
23. The developer shall make improvements to Valley View Road to facilitate ingress and egress to the plat consisting of right-turn lanes and a left-turn lane.
24. The developer shall confirm that adequate sight distance exists on Boyer Street at Valley View Road and Ancient Oak Lane at S. Pleasant View Road where public streets intersect. If adequate sight distance does not exist, the developer shall change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make other mitigating improvements as required by the City.
25. 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 Pre-construction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
26. The following notes shall be included on the final plat per 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 2 or more lots combined for a single development site, or where 2 or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of 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 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 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.

- 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.

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. 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. No building permits shall be issued prior to City Engineering's approval of this plan.

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."

28. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2, 10 & 100-year storm events; control 80% TSS (5 micron particle); provide substantial thermal control, and; provide infiltration in accordance with NR-151. Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.
29. A minimum of two working days prior to requesting City Engineering Division signoff on the plat, the applicant shall contact Janet Dailey 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).

30. 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.
31. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference City of Madison WCCS Dane Zone, 1997Coordinates on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. City of Madison has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City of Madison Engineering Division web address http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html for current tie sheets and control data. If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact the City Engineering Division for this information.
32. The applicant 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 (608) 266-6527 if you have questions about the following six (6) items:

33. Unless otherwise provided for, the plat shall dedicate land for and construct /provide a new left-turn lane on Valley View Road at Boyer Street.
34. The plat shall provide space for dedicated bike lanes on Boyer Street or provide a parallel off-street bike path. The Boyer Street right of way shall be revised accordingly.
35. The applicant shall execute and return declarations of conditions and covenants for streetlights and traffic signals prior to sign off.
36. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
37. The applicant shall be required to provide any necessary easements for the installation of street lights, traffic signals, including control box, loops, hand-holes, markings and signing.
38. 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 Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following three (3) items:

- 39. Water main assessments will be due for the Valley View Road frontage and a portion of the S. Pleasant View Road frontage.
- 40. All public water mains and water service laterals shall be installed by a standard City of Madison subdivision contract, except water main on Pleasant View Road may be installed by Assessment Reimbursement contract.
- 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.

Please contact Kay Rutledge of the Parks Division at (608) 266-4714 if you have any questions regarding the following three (3) items:

- 42. Outlots 1 and 2 of the proposed plat will preserve the existing woodlot areas. A tree preservation and management plan shall be provided to the City for review; the Parks Division will be one of the agencies reviewing and commenting on this plan.
- 43. The path system shall include an east-west path connection from Greenside Park (at the end of Greenside Circle) to S. Pleasant View Road (through proposed Outlots 2 and 3) and through Outlot 1 to Nelson Crossing to the south. These path connections shall be included within a public pedestrian-bike path easement.
- 44. Access for the public to enjoy Outlot 1 is also recommended.

Please contact Bill Sullivan of the Madison Fire Department at (608) 261-9658 if you have any questions regarding the following two (2) items:

- 45. Fire access is limited and appears to be insufficient, especially on Lots 4, 5, and 6.
- 46. Provide fire apparatus access as required by IFC 503 2009 edition, MGO Sec. 34.503, as follows:
 - a.) The site plans shall clearly identify the location of all fire lanes.
 - b.) IFC 503 Appendix D105, Provide an aerial apparatus access fire lane that is at least 26 feet wide, with the near edge of the fire lane within 30 feet and not closer than 15 feet from the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.
 - c.) Provide a fire lane that extends to within 150 feet of all exterior portions of the structure, or it can be extended to within 250 feet if the building is fully sprinklered.
 - d.) Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with future site plan submittals.

Please contact Jenny Frese of the Office of Real Estate Services at (608) 267-8719 if you have any questions regarding the following five (5) items:

- 47. 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.

48. A certificate of consent for any mortgagee/ vendor shall be included following the Owner's Certificate.
49. Because of public dedications, a Phase I Environmental Site Assessment is required.
50. As of December 3, 2012, the real estate tax bills have been paid, there are no special assessments, and no outstanding stormwater fees for the subject property.
51. The following revisions shall be made to the final plat prior to final sign-off:
- a.) Include a complete and accurate legal description of the lands that are to be included in the plat. The legal description shall be reconciled with the legal description of said lands in record title.
 - b.) Coordinate with City staff to discuss the overall utility and easement plan, with regard to easement relocations, releases and necessary language to be included on the final plat.
 - c.) Reconcile the depiction of Easement 18 with Exhibit B of Document No. 4672138 to make sure the portion of the easement adjacent to Valley View Road is depicted correctly.
 - d.) Clarify the limits of the Pedestrian-Bike Trail and Stormwater Management Easement near Outlot 3 on Sheet 2 of 3, and if Outlot 3 includes this purpose.
 - e.) Create and record, or show as being dedicated in the plat, easements for utility and drainage rights of way when the utility or drainage physically exists, but no document for it exists in record title.
 - f.) Create notes that define the purpose of and the ownership (whether public or private) of all outlots that are dedicated to the public. For example: "Dedicated to the public for _____ purposes."
 - g.) 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 and private public utilities having the right to serve the area".

Please contact my office at (608) 261-9632 if you have questions about the following eight (8) items:

52. That a tree preservation and management plan for the subdivision be approved by the Planning Division Director prior to commencement of any grading activities on the site. The final plat shall be revised per Planning Division approval prior to recording to delineate tree preservation and landscaped buffer easements that shall be a minimum of 100 feet deep along the western edge of Lots 1-4 and a minimum of 75 feet deep along the eastern edges of Lots 7-14. The tree preservation and management plan shall include a general inventory of the trees located across the site and shall identify opportunities for mature tree cover to be preserved within and adjacent to the proposed easement areas during the implementation and build-out of the development. Disturbance within these easements may be limited, and the final location of subdivision utilities may be varied to allow areas of mature tree cover to be avoided. Where necessary to augment the existing tree cover in these easements, a buffer landscaping plan shall be approved by the Planning Division, including the creation of a full landscaped buffer along S. Pleasant View Road.
53. That the applicant work with staff from the Planning Division and City Engineering Division prior to recording of the final plat to develop detailed plans for the construction of the private path network

located throughout the development, including details on the proposed width of the paths and the materials that will be used. The applicant shall also work with staff on easement/ plat language to address the future maintenance and right of use of non-City paths throughout the development.

54. That prior to final approval of the plat for recording, the developer receive final approval of the master plan for the development from the Director of the Planning Division, including final approval of the landscape design and street graphics standards and parking plan for the development per the requirements of the Employment Campus district.
55. That prior to final approval of the plat for recording, the developer shall submit a restrictive covenant for approval by the Plan Commission following review by the Planning Division that includes specific details on the architectural review committee that will be responsible for reviewing projects on all Research & Development Center District/ Employment Campus-zoned lots. The restrictive covenant shall include any proposed land use restrictions, details about the specific design criteria that will govern the RDC/ EC-zoned lots, and reference to general conformance with the conceptual master plan.
56. That the final plat be revised to include a vehicular access restriction for Lots 7-14 along the western right of way line of S. Pleasant View Road. The restriction shall be shown graphically on the face of the plat, with a note to be included acknowledging that no vehicular access shall be granted.
57. That prior to final approval of the plat for recording, the applicant receive final approval of the Transportation Demand Management (TDM) Plan from the Planning Division Director and City Traffic Engineer. At a minimum, the approved TDM dated December 2009 shall be updated to reference the Pioneer Addition in its executive summary, recommendations and graphics.
58. That the applicant work with the Planning Division and Capital Area Regional Planning Commission to revise the environmental corridor map to reflect the proposed changes to the City's north-south drainage and sewer corridor and to include proposed Outlots 1 and 2 prior to recording the final plat.
59. That the final plat be revised to provide new 12-foot wide utility easements adjacent to the rights of way on both sides of Boyer Street and extended Ancient Oak Lane, and an additional 12 feet to the existing utility easements located along the west side of S. Pleasant View Road and south side of Valley View Road.

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

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.

As soon as the comments and conditions have been satisfied as verified with a completed affidavit form (attached), the original along with the revised final plat, with all signatures and approvals from the reviewing agencies, shall be brought to this office for final signoff. You or your client may then record the final plat at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 266-4141.

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 plat shall be**

University Research Park (II)
– Pioneer Addition
1004-1504 S. Pleasant View Rd.
January 15, 2013
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null and void if not recorded in twelve (12) months from the date of this letter. If I may be of any further assistance, do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks
Planner

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