



Department of Planning & Community & Economic Development
Planning Division

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July 10, 2012

Mark Pynnonen
Birrenkott Surveying, Inc.
PO Box 237
1677 N. Bristol Street
Sun Prairie, Wisconsin 53590

RE: Approval of a preliminary plat creating 9 future commercial lots, 1 lot for an existing single-family residence, and 1 lot for future other development on property generally addressed as 3370 Burke Road in the Town of Burke (Gerald Wood, JAD Land Development).

Dear Mr. Pynnonen;

At its July 3, 2012 meeting, the Common Council **conditionally approved** your client's preliminary plat of the "Wood Ger Development" subdivision in the Town of Burke, subject to the following conditions of approval from reviewing agencies:

Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following sixteen (16) items:

1. This Town of Burke property falls within the boundaries of the Town of Burke, Village of DeForest, City of Sun Prairie and City of Madison Cooperative Plan. Per the cooperative plan, this property at some time will be attached to the City of Madison. This will occur either upon petition for attachment by the owner(s), or upon final attachment of Town properties on October 27, 2036 per the cooperative plan. The applicant shall coordinate the construction of all public improvements to serve the proposed subdivision with the City in accordance with said cooperative plan. The applicant shall meet with City staff to discuss the required infrastructure improvements prior to approval of the final plat of this subdivision.
2. Lands north of this proposed development contain an existing dead end north-south Town of Burke public road (Maly Road) south off of Nelson Road. Coordinate the final approved name to be shown on the final plat for the portion of public right-of-way. The street name is currently proposed to be dedicated as Maly Road. City of Madison General Ordinances may require that a new street name be designated for the east-west portion connecting to Reiner Road.
3. An existing home is located on proposed Lot 10, which shares an existing access traverses proposed Lot 11. The plat shall either create private ingress-egress easement rights across Lot 11 benefitting Lot 10, or a driveway for the eastern residence shall be located entirely upon Lot 10.
4. In accordance with Section 236.20(2)(c) & (f), Wisconsin Statutes, clearly dimension and locate the easement for the existing ANR Gas Pipeline (formerly Michigan-Wisconsin Pipe Line Company) per Doc No 1161465 on the subdivision plat. If the original easement did not contain a retraceable legal

description, indicate how the easement location has been shown on this subdivision plat (i.e. based on a field surveyed location as marked in the field by ANR staff, visual evidence, etc.).

5. This plat drains to an enclosed depression and as such, additional stormwater treatment measures should be considered and downstream property owners should be made aware of potential flooding.
6. Portions of Lots 9 and 10 are subject to existing wetlands and intermittent stream encumbrances across portions of those proposed lots. The physical location of these public stormwater areas shall be better defined and dimensioned on the plat. These areas may be dedicated to the public in fee title for stormwater management purposes due to these existing stormwater areas making these portions of Lot 9 and Lot 10 unbuildable. If the applicant chooses not to dedicate these lots in fee title, an alternative platted public stormwater management easement could be shown across both lots, which would allow for public drainage to the privately owned properties.
7. It is recommended that the portion of Lot 10 with the existing house should be separated from the remainder of Lot 10 and have and should be platted as proposed Lot 12.
8. All properties within this plat are within the Felland Road Neighborhood Sanitary Sewer Impact Fee District. These properties will be subject to impact fees upon connection to the City's public sanitary sewer in the future when available.
9. When this property and development attach to the City of Madison in accordance with the Town of Burke, Village of DeForest, City of Sun Prairie and City of Madison Cooperative Plan, and City sanitary sewer becomes available, the lots within this subdivision shall be required to connect to City of Madison public sanitary sewer.
10. The applicant shall provide the City of Madison with copies of all public works improvement plans for the subdivision stamped by a Civil Engineer and as approved by the Town of Burke and/or Dane County.
11. 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.
12. This development is subject to impact fees for the Felland Road Neighborhood Sanitary Sewer 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 final plat: "Lots/ buildings within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."
13. The applicant shall dedicate a 20-foot wide Permanent Limited Easement for grading and sloping along Reiner Road, Burke Road and Maly Road on the final plat.
14. The following note shall be added to the plat. "All lots created by this plat are individually responsible for compliance with Chapter 37 of Madison General Ordinances in regard to stormwater management at the time they develop."
15. 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- and

10-year storm events; control 80% TSS (5 micron particle), provide infiltration in accordance with Chapter 37 of Madison General Ordinances (90% of predevelopment infiltration), and; provide oil & grease control from the first 1/2" of runoff from parking areas.

16. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. Note: Land tie to two PLS corners required.

Note: City Engineering Division permit applications are available online at:
<http://www.cityofmadison.com/engineering/permits.cfm>.

Please contact Dan McCormick of the Traffic Engineering Division at 267-1969 if you have questions about the following two (2) items:

17. The applicant shall dedicate 60 feet of right of way from the centerline of Reiner Road with the final plat. The final plat shall clearly show this dedication.
18. The applicant shall dedicate 40 feet of right of way from the centerline of Burke Road with the final plat. The final plat shall clearly show this dedication.

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

19. Compliance with Chapter 34, Madison General Ordinance will be required upon attachment to the City of Madison. Specifically, the following:
- a.) All portions of the fire lanes for newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least TWO fire hydrants. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.507 for additional information.
 - b.) Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503.

Please contact my office at 261-9632 if you have questions about the following five (5) items:

20. That the 20-foot landscaped buffer shown on Lots 1 and 8 the preliminary plat be revised to be a 40-foot building line and landscaped buffer coterminous with the edge of the existing American Transmission Company easement that parallels Reiner Road. The following note shall be included on the final plat: "The 40-foot building setback line and landscaped buffer strip is reserved for the planting and maintenance of trees or shrubs by the owner; the building of buildings hereon is prohibited. Maintenance of the buffer strip is the responsibility of the lot owner."
21. As part of the approval of the final plat of this subdivision, the applicant shall submit a detailed plan for the landscaped buffer for approval by the Planning Division prior to the recording of the final plat. The plan shall include any proposed grading (including sections of any proposed berms) within the 40-foot area, and a detailed landscaping plan with the size and species to be planted.
22. That an automobile access restriction be established on the final plat along Reiner Road for the entire frontage of proposed Lots 1, 8 and 9.

23. That as part of the final plat of the Wood Ger Development subdivision, Lot 10 be revised to combine the portions of that parcel north of the residence containing wetlands and the intermittent stream(s), and to the extent possible, the wetland setback, with a revised Lot 9, and that said revised and expanded Lot 9 be designated as an outlot for wetland and open space purposes. Upon the order of the Madison Common Council or Burke Town Board, this outlot shall be dedicated to the public for said non-development purposes at no cost to the public body adopting such an order.
24. That the applicant record a condominium removal for the entire JAD Condominium with the Dane County Register of Deeds prior to submitting the final plat of Wood Ger Development to the City of Madison for approval. A copy of the recorded removal shall be submitted with the final plat.

In addition, the Jenny Frese of the City's Office of Real Estate Services (267-8719) reviewed the report of title provided with the preliminary plat and submitted the following comments, which shall be addressed as part of the submittal of the final plat of this subdivision:

25. As of June 27, 2012, the 2011 real estate tax bills (which include special assessments) have been partially paid for the lands to be platted. Prior to presenting the final plat for final approval prior to recording, paid receipts for all real estate taxes must be presented to the Office of Real Estate Services pursuant to Madison City Ordinance Section 16.23(5)(e)1 and Wis. Stats. 236.21(3).
26. The owner shall submit two (2) copies of a current/ updated report of title with your final plat application and furnish the Office of Real Estate Services an updated title report covering the period between the date of the title report submitted with the final plat and the date when sign-off of the final plat is requested. The surveyor shall update the final plat with the most recent information available in the title report update.
27. The following revisions shall be made on the final plat:
- a.) Accurately reflect the underlying CSM 6408 lot lines.
 - b.) Include a complete and accurate legal description of the lands that are to be included in the proposed plat. The legal description shall be reconciled with the legal description in the most recent title report.
 - c.) Please add a note on the face of the final plat that some of the land to be platted is subject to a Stormwater Maintenance Plan recorded as Doc. No. 3760938. If possible, depict Exhibit A from this recorded document on the face of the final plat. If this document is no longer applicable, provide the appropriate release document prior to final approval.
 - d.) Please add a Note on the face of the PP that some of the lands to be platted are subject to restrictions recorded as Doc. Nos. 2323870 and 3761431, or provide the appropriate release documents prior to sign-off if these deed restrictions no longer encumber the lands to be platted.
 - e.) Update the depiction and labeling of the Right-of-Way Grant Gas Main recorded as Doc. No. 3413161 to accurately reflect the 10 foot width.

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 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Janet Dailey, City Engineering Division
Dan McCormick, Traffic Engineering Division
Bill Sullivan, Madison Fire Department
Pat Anderson, Assistant Zoning Administrator
Jenny Frese, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations