



Department of Planning & Community & Economic Development
Planning Division

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March 19, 2010

Dan Day
D'Onofrio, Kottke & Associates
7530 Westward Way
Madison, Wisconsin 53717

RE: Approval of a request to rezone approximately 6.09 acres located at 8839 Ancient Oak Lane from A (Agriculture District) to R1 and R2T (Single-Family Residence Districts), and; approval of a three-lot Certified Survey Map creating 2 new single-family residential lots and 1 lot for an existing single-family residence and future development. (Brandon J. Ripp)

Dear Mr. Day:

At its March 16, 2010 meeting, the Common Council **conditionally approved** your client's zoning map amendment and the three-lot Certified Survey Map of property located at 8839 Ancient Oak Lane subject to the conditions of approval from reviewing agencies. The conditions of approval to be satisfied before final approval and recording of the CSM are:

Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following fourteen (14) conditions:

1. Stormwater management for development on Lots 1 and 2 may be addressed with the development of Lot 3 at the time of future development. This shall require that a note to this effect be placed on the CSM.
2. Each lot shall be served by a separate sanitary sewer lateral when the lots develop.
3. Lots 1 and 2 of the proposed CSM will have Madison Metropolitan Sewerage District (MMSD) fees due as a condition of CSM approval. Lot 3 of the CSM will have MMSD fees due when it develops.
4. This development is subject to impact fees for the Upper Badger Mill Creek Stormwater Impact Fee District and Valley View Road Stormwater and Sanitary Impact Fee District. All impact fees are due and payable at the time building permits are issued. (MGO Sec. 20)
5. The applicant shall dedicate a 10-foot wide Permanent Limited Easement for grading and sloping along the east line of Lot 2. (MGO Sec. 16.23 (5)(g)1)
6. Arrows shall be added to the certified survey map indicating the direction of drainage for each property line not fronting on a public street. In addition, the certified survey map shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the certified survey map.
 - a. Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.
 - b. All lots within this survey are subject to a public easement 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 easement shall be 12-feet in width on the perimeter of the certified survey map. Easements shall not be required on property lines shared with

green ways or public streets. No structures may be constructed within said easement and no other obstructions to drainage, including landscaping are permitted without the prior written approval of the City Engineer.

Note: In the event of the City of Madison Plan Commission and/or Common Council approve 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.

7. 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. (MGO Sec. 16.23(9)(d))

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."

8. If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane County Register of Deeds.
9. The following note shall be added to the certified survey map: "All lots created by this certified survey map are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to stormwater management at the time they develop."
10. 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) off of new paved surfaces; provide infiltration in accordance with Chapter 37 of the Madison General Ordinances, and; provide substantial thermal control.
11. A minimum of 2 working days prior to requesting City Engineering Division signoff on the CSM the applicant shall contact Janet Dailey (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).
12. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division signoff, 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 Division signoff. (MGO Sec. 16.23(9)(d)(4))
13. 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 CSM. Note: Land tie to two PLS corners required.

14. Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), the final CSM must be submitted to the Engineering Division Surveyor/Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the final CSM in PDF form is preferred. Please transmit to epederson@cityofmadison.com

Please contact John Leach, Traffic Engineering Division, at 267-8755 if you have questions about the following two items:

15. The applicant shall confirm street connections as part of the neighborhood plan with Planning Division.
16. The applicants shall execute and return the attached declaration of conditions and covenants for streetlights and traffic signals prior to sign off.

Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following two items:

17. Provide a grading plan of the plat to show that usable open space requirements can be met on the lots per the comparable zoning district requirements, which is 800 square feet for the R2T zoning district. Usable open space shall be in a compact area of not less than 200 square feet and having no dimensions less than 10 feet and having a slope no greater than 10 percent. Front yards do not count toward usable open space.

Please contact Kay Rutledge, Parks Division, at 266-4714 if you have any questions regarding the following item:

18. The developer shall pay \$6,485.36 in park dedication and development fees for 2 additional single-family units. The developer must select a method for payment of park fees before signoff on the rezoning. This development is within the Elver Park impact fee district.

Park Dedication required for single-family units = 1,100 square feet per unit. The Fee in Lieu of Dedication is based on current property values up to \$2.11 per square foot for 2010 = \$2,321+Park development fees of \$921.68 per single-family unit = \$3,242.68 per unit.

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

19. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. All unused private wells shall be abandoned in accordance with Madison General Ordinance 13.21. The Water Utility will not need to sign off the final plans, but will need a copy of the approved plans.
20. The proposed lots do not have water service laterals. Each lot shall have a separate water service lateral connected to a public water main.

Please contact my office at 261-9632 if you have questions about the following item:

21. That the Certified Survey Map (CSM) be revised prior to final staff approval as follows:
- a.) show the reservation of a 15-foot turning radius at the northeastern corner of that lot at Ancient Oak Lane opposite Color Peak Road with the following CSM note: "In the event that future development of Lot 3 calls for the extension of Color Peak Road south of Ancient Oak Lane, the owner of Lot 2 shall dedicate the reserved 15-foot turning radius to the City at no cost to the City to allow for the provision of standard turning radii at that intersection. In the event that no such extension occurs in the future, the owner of Lot

2 may petition the City to release the reservation after a development plan or a subdivision of Lot 3 is approved by the City that does not show the Color Peak extension.”

- b.) include a note on the face of the CSM acknowledging that Color Peak Road/ Pine Hollow Place may be extended adjacent to Lot 2 at the time Lot 3 further develops and that the cost of the entire street extension shall be borne by the future developer of Lot 3;
- c.) show a 10-foot building line parallel to the entire eastern property line of proposed Lot 2 to provide an adequate side yard adjacent to the possible extension of a public street along that property line;
- d.) show the square footage of the detached accessory building and the number of stories of the existing house on Lot 3;
- e.) show the setback from the existing house on Lot 3 to the southeastern corner of Lot 2 and the setback of the detached accessory building from the southern property line.

Please note that the City’s Office of Real Estate Services is reviewing the report of title provided with this survey and may have comments. That office will send any comments to you by fax or e-mail. If you have any questions, please contact Jeff Ekola at 267-8719 for more information.

As soon as the comments and conditions have been satisfied as verified with a completed affidavit form (enclosed), the original along with the revised Certified Survey Map, 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 certified survey at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 266-4141.

Upon acceptance and recording of the certified survey map by the Dane County Register of Deeds, please transfer the recorded volume, document number, and page numbers to the copies and forward a copy to this office for our records. The original survey map with the recording information is permanently kept on file in the Dane County Register of Deeds Office. A copy of the recorded document can be obtained from the Register of Deeds Office, Room 110, City-County Building or the Real Estate Office in the Madison Department of Planning and Development.

Any appeal from this action, including the conditions of approval, must be filed with the Circuit Court within thirty (30) days from the date of this letter. The approval of this CSM shall be null and void if not recorded in **two years** from the date of the approving resolution. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Janet Dailey, City Engineering Division
John Leach, Traffic Engineering Division
Pat Anderson, Asst. Zoning Administrator
Kay Rutledge, Parks Division
Dennis Cawley, Madison Water Utility
Dan Everson, Dane County Land Records and Regulations