

Memorandum of Understanding
between
THE CITY OF WAUKESHA
and
THE WISCONSIN DEPARTMENT OF TRANSPORTATION

This memorandum summarizes the future improvements agreement between the City of Waukesha (City) and the Wisconsin Department of Transportation (State) for the WIS 59/164 and Sunset Drive intersection as a result of the Meijer development on Sunset Drive.

GENERAL

- The median opening on Sunset Drive east of the WIS 59/164 intersection for the benefit of Milky Way Road will be allowed to remain open to full movements subject to the following conditions:
 - The presence of the median opening does not create a safety issue at the Sunset Drive intersections with WIS 59/164 and/or Milky Way Road.
 - The presence of the median opening does not create an operational issue at the subject intersections.
 - If a safety or operational issue does occur, the parties will meet to discuss the best solution to solve the issue. If the parties cannot agree on a resolution to the issue, the median opening will be closed by the State at the State's cost.

CITY RESPONSIBILITIES:

WIS 59/164 and Tenny Avenue Intersection Improvements

- The City will require the Developer (Smart Trust) to construct all the required improvements on WIS 59/164 that are related to the new intersection with Tenny Avenue, as outlined in the State review letter dated September 2, 2014 (copy attached), prior to the intersection opening to traffic.

WIS 59/164 and Sunset Drive Intersection Improvements

- Construct the improvements to the west approach of the WIS 59/164 and Sunset Drive intersection in accordance with the State letter dated September 2, 2014 by December 1, 2016.

Other Items

- Acquire any and all necessary right-of-way to install the required improvements that are the responsibility of the City/Developer. The City anticipates that no right-of-way will be needed.
- The City will let a construction contract that will include the construction of improvements to the east and north approaches of the WIS 59/164 and Sunset Drive intersection in conjunction with the improvements on the west approach and in accordance with the State letter dated September 2, 2014. The City shall

be reimbursed by the State for the design and construction costs for the east and north approaches.

- Update the Traffic Impact Analysis (TIA) in accordance with State Guidelines if there are changes to the proposed Meijer development and/or surrounding residential development on the Smart Parcel that would generate additional trips to WIS 59/164. The City has done an initial development review with DOT for additional residential lots on Tenny Avenue adjacent to the Meijer store. It was concluded by the City and DOT that the impacts of residential lots are minimal and no changes to the TIA were required. The City also anticipates no further changes to the Meijer and residential developments.
- The City shall make its best efforts to relocate Milky Way Road to the east to align with the easternmost driveway to the Speedway/Mateo's parcels when the residences on the south side of Sunset Drive are proposed for redevelopment and annexation into the City.

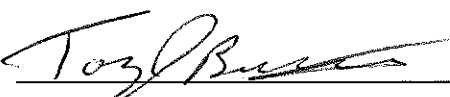
STATE RESPONSIBILITIES:

- Review and issue necessary permits to the City for the required improvements within State right-of-way. All permit work shall conform to the standards of the State's Facilities Development Manual (FDM).
- Review and approve any required land divisions meeting requirements of State Statutes.
- Reimburse the City for their design and construction costs for the implementation of the improvements on the east and north approaches of the WIS 59/164 and Sunset Drive intersection via method agreeable to both parties.
- Review and accept any future updated TIAs that are technically correct for this development.

City of Waukesha

By: _____
Title: _____
Date: _____

Wisconsin Department of Transportation

By: 
Title: SYSTEMS PLANNING CHIEF
Date: 4/1/15



Division of Transportation System Development
Southeast Regional Office
141 N.W. Barstow Street
P.O. Box 798
Waukesha, WI 53187-0798

Scott Walker, Governor
Mark Gottlieb, P.E., Secretary
Internet: www.dot.wisconsin.gov

Telephone: (262) 548-5903
Facsimile (FAX): (262) 548-5662

E-Mail: waukesha.dtd@dot.wi.gov

September 2, 2014

MIKE GRULKE
CITY OF WAUKESHA
130 DELAFIELD STREET
WAUKESHA WI 53188-3616

Subject: Log #140446 – Development Submittal
Meijer Development
WIS 59 Bypass
Waukesha County

Dear Mr. Grulke:

The Traffic Impact Analysis (TIA) performed by Traffic Analysis & Design Inc. covering the Meijer Development has allowed the Department to understand the impacts of the subject development and identify the necessary improvements. The attached lists the improvements that are to be constructed as a result of this development. Some design issues and improvement requirements have been noted on the attached to aid in the development of the plans.

The development can now proceed to the Department's Permit Process. The permit plans will require design preparation (please see attached plan requirements). **All permits will be issued to the maintaining authority and the design consultant will need to forward permit plans for review and submittal. Permits from multiple maintaining authorities shall be tied and constructed at the same time.**

If you have any questions regarding traffic issues, please contact the undersigned at (262) 548-5626. Please direct any questions regarding the Trans 233 process to Patricia Reikowski, Land Division Coordinator, at (262) 548-6704. Kevin Koehnke at (262) 548-5891 will coordinate any permit issuance for this project. Please reference the log number (#140446) when forwarding all correspondence.

Sincerely,

Art Baumann, P.E.
Traffic Operations Engineer

Attachment

Cc: Sheri Schmit / Robert Elkin / Don Berghammer, DOT
Dave Brantner / Judy Johnson / Dan Dedrick, DOT
Kevin Koehnke / Patricia Reikowski / Susan Voight, DOT
Tom Heydel / Chris Squires, DOT
Michael May, Traffic Analysis & Design, Inc.

Log #140446 – Meijer Waukesha Development

Location: WIS 59 & Proposed Tenny Avenue Extension, Waukesha County
Prepared by: Traffic Analysis & Design, Inc.
Review Unit: Traffic Operations
Reviewer: Brian Huibregtse / Art Baumann
Date: September 2, 2014

Improvement Measures

General Notes

Design

- 1) Contact the WisDOT permit coordinator (Kevin Koehnke at 262-548-5891) prior to plan submittal to identify the plans that are required and obtain any supplemental design guidelines. Incomplete submittals will be returned without review.
- 2) The design for the improvements along WIS 59 shall be prepared in accordance with the FDM requirements for design and plan preparation. The design shall accommodate a WB-67 truck. All lanes are to be a minimum of 12 feet in width, unless otherwise specified (final width to be determined during design). All left-turn lanes *should* be opposing. All necessary drainage, utility, signage and pavement marking improvements shall be provided. The signing plan shall include sign details and signs that require moving.
- 3) For questions regarding signing or pavement marking, please contact Tom Heydel at tom.heydel@dot.wi.gov or (262) 548-6763. For questions regarding work zone traffic control plans, please contact Tom Heydel or the permit coordinator.
- 4) Pedestrian/Bicycle accommodations and ADA requirements shall be addressed where appropriate. Please contact Chris Squires, WisDOT Pedestrian/Bicycle Facilities Coordinator, at (262) 521-4417 or christopher.squires@dot.wi.gov with questions regarding pedestrian/bicycle accommodations.

Right of Way

- 1) A party other than the WisDOT shall acquire any required right-of-way for the permit plans. The City of Waukesha anticipates that no right-of-way will be required.

Utilities

- 1) Utility coordination may be the responsibility of the municipality/developer (or their consultant representative) constructing the work.
- 2) Utility relocations that occur as a result of this work may not be covered under Wisconsin Administrative Rule TRANS 220. The municipality/developer (or their consultant representative) requesting the work shall be responsible for all costs associated with the needed relocation of any utility facility as a result of the work.

Access

- 1) One public street connection to WIS 59 will be considered. Direct development access to WIS 59 will not be allowed for this development. **Access at this location is currently restricted by plat. Please contact Susan Voight at 262-548-8788 to coordinate the revision of the plat restriction. This process can take up to six months to complete, so early coordination is critical.** The location and number of accesses to the Meijer Development property on local roads shall be determined by the City.

- 2) The municipality/developer (or their consultant representative) shall be responsible for notifying any offsite property or business owners whose access or operations will be impacted as a result of the proposed development. The municipality/developer shall provide the Department with written documentation verifying that all impacted property or business owners have been contacted prior to permit submittal.

Traffic Signals

- 1) The WisDOT Traffic Operations team reserves the right of first refusal to design the traffic signal plans owned by WisDOT. Please contact Dan Dedrick at (262) 548-5894 to discuss who will be responsible for designing the traffic signals. Traffic signal plans prepared by a consulting firm shall be submitted to Judy Johnson for final approval by a WisDOT signal engineer. Upon receiving final approval, the consultant shall submit an original signed and sealed hard copy to Dave Brantner at (262) 548-8736. **Traffic signal plans submitted for permit without a WisDOT signal engineer signature approval will be returned.** Final electronic (AutoCAD) traffic signal plan files shall be submitted to Judy Johnson prior to issuance of permit.
- 2) The design consultant retained by the developer/municipality shall contact Dan Dedrick to schedule a scoping meeting prior to the signal design/update.
- 3) An engineering services agreement with the City of Waukesha shall be required for the traffic signal work by WisDOT. This agreement will cover WisDOT signal design work and plan preparation (if any), the cost of any State furnished signal control equipment (above ground) and WisDOT staff time for site visits, coordination, review, and field inspection. **Requests for the engineering services agreement shall be made to Dan Dedrick a minimum of 15 days prior to the scoping meeting. The engineering services agreement shall be signed and submitted to Dan Dedrick prior to the submission of the electronic intersection geometric plans. A signed Engineering Services Agreement shall be in place prior to WisDOT performing any engineering services.**
- 4) Traffic signal plans shall be prepared in accordance with FDM and TSDM (Traffic Signal Design Manual) standards for all signalized intersections (current or proposed) whose design and/or operational improvements will conflict with the location of existing traffic signal system infrastructure (including, but not limited to: conduit, pull boxes, cabinets, signal poles, hardware, and loop detectors), require readjustments to the current timing or phasing plans, or require the installation of additional or new signal infrastructure or hardware. **Plans shall be submitted in AutoCAD 2012 or later format per FDM standards requirements to WisDOT or the consultant firm preparing the traffic signal plans. Current template and block libraries can be found at <http://www.dot.wisconsin.gov/business/engrserv/roadway-design-civil3d.htm>. Plans submitted shall be in the county coordinate system.** If further verification of signal infrastructure or timing impacts based on recommended improvements is needed, questions or concerns should be directed to the WisDOT Signal Operations team (Dave Brantner) prior to permit issuance.
- 5) **If traffic signal loops are to be placed on private property as part of the signal installation, a maintenance easement to the benefit of WisDOT shall be obtained from the private property owner.** The easement shall allow the WisDOT to enter the property at its discretion to maintain the loops. The easement shall encompass an area equal to the width of the driveway and extend from the road right-of-way to 20 feet past the furthest loop detector.

Improvements

All the improvements listed below assume that the Tenny Avenue extension to WIS 59 is constructed. If the extension is not to be constructed, please contact the Department for an updated list of improvements.

Background Improvements

The following improvements are the responsibility of the Wisconsin Department of Transportation and will be implemented at the time of the permit improvements and subject to a cost share from the Department.

WIS 59 & Sunset Drive

- 1) The east approach shall have four westbound lanes (one exclusive left-turn lane, one shared left/through lane, one exclusive through lane and one exclusive right-turn lane). The westbound left-turn lane shall have a minimum storage length of 225 feet and a proper taper length. The westbound inside left/through lane shall be continuous from upstream traffic. The westbound outside through lane shall maintain a minimum storage length of 350 feet and a proper taper length. The westbound right-turn lane shall maintain a minimum storage length of 80 feet and a proper taper length. A raised median shall be constructed east of Milky Way Road to the easternmost driveway shared by Speedway and Mateo's. An eastbound left-turn lane shall be constructed at the easternmost driveway with a minimum storage length of 75 feet and proper taper length. See the enclosed concept drawing.
- 2) The north approach shall maintain four southbound lanes (one exclusive left-turn lane, two exclusive through lanes and one exclusive right-turn lane). The southbound left-turn lane shall have a minimum storage length of 275 feet and a proper taper length. The southbound right-turn lane shall remain continuous from upstream traffic.
- 3) The median opening for Milky Way Road, located approximately 100 feet east of the intersection, will be allowed to remain open subject to the conditions as described in a subsequent Memorandum of Understanding.
- 4) The traffic signal equipment and timings shall maintain split phasing.

Permit Improvements – Meijer Development

The following improvements will be designed, constructed and paid for by the City of Waukesha/Developer at a timeframe agreed to by the Department.

WIS 59 & Sunset Drive

- 1) The west approach shall have four eastbound lanes (one exclusive left-turn lane, one shared left/through lane, one exclusive through lane, and one exclusive right-turn lane). The eastbound left-turn lane shall have a minimum storage length of 265 feet and a 75 foot taper length and will allow for a median opening at the bank/office driveway. The eastbound inside left/through lane shall be continuous from upstream traffic. The eastbound outside through lane shall also be continuous. The eastbound right-turn lane shall have the maximum the storage length and a proper taper length that can be installed without right-of-way acquisition or impact to the adjacent driveway.

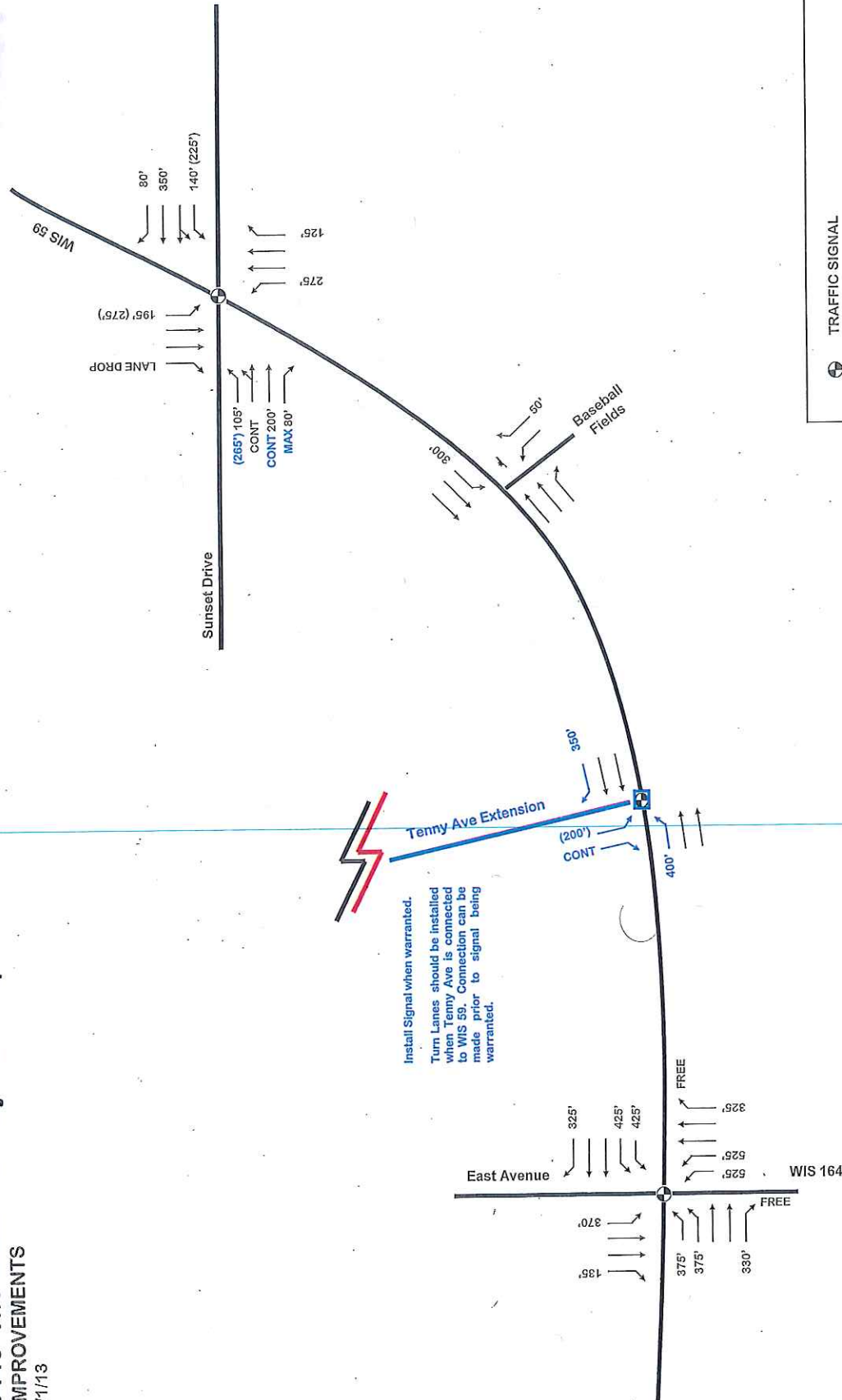
WIS 59 & WIS 164/East Avenue

- 1) No additional improvements are required at this intersection.

WIS 59 & New Tenny Ave Extension

- 1) A fully actuated traffic signal shall be installed upon meeting warrants, acceptable to WisDOT, and after WisDOT authorizes its installation. The traffic signal will not be installed until warrants have been met, as shown by a traffic study, and WisDOT authorizes its installation. Prior to installing the traffic signal, the north leg movements shall remain stop sign controlled. The future traffic signal study and the traffic signal installation shall be at the City's/Developer's cost. The City/Developer should contact the Department prior to initiating the study.
- 2) The north approach shall have two southbound lanes (one exclusive left turn-lane and one exclusive right-turn lane). The southbound left-turn lane shall have a minimum storage length of 200 feet and a proper taper length. The southbound right-turn lane shall be continuous from upstream traffic.
- 3) The east approach shall have three westbound lanes (two exclusive through lanes and one exclusive right-turn lane). The westbound right-turn lane shall have a minimum storage length of 350 feet and a proper taper length.
- 4) The west approach shall have three eastbound lanes (one exclusive left-turn lane and two exclusive through lanes). The eastbound left-turn lane shall have a minimum storage length of 400 feet and a proper taper length.

LOG # 140446 The Waukesha Meijer Development
REQUIRED IMPROVEMENTS
 PREPARED 10/1/13



Install Signal when warranted.
 Turn Lanes should be installed when Tenny Ave is connected to WIS 59. Connection can be made prior to signal being warranted.

⊕	TRAFFIC SIGNAL
⊙	STOP SIGN
→	2014 Existing
→	IMPROVEMENTS (BACKGROUND)
→	MEIJER IMPROVEMENTS
XX' / XX'	TOTAL TURN LANE STORAGE REQUIRED BY SCENARIO

EXHIBIT 1
WIS 59/164 PROPOSED GEOMETRIC IMPROVEMENTS
WIS 59/164 & EAST AVENUE, SUNSET DRIVE
WAUKESHA, WISCONSIN