



PREPARED FOR THE PLAN COMMISSION

Project Address: 4802 Sheboygan Avenue
Application Type: Revised Preliminary Plat, Certified Survey Map, and Final Plat
Legistar File ID # [52754](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.
Reviewed By: Heather Stouder, Planning Division

Summary

Applicant & Property Owner: State of Wisconsin; 101 E. Wilson Street; Madison; John Klenke, representative.

Surveyor: Mark Pynnonen, Birrenkott Surveying, LLC; 1677 N. Bristol Street; Sun Prairie.

Requested Actions:

- Approval of the revised preliminary plat of *Madison Yards at Hill Farms*, creating five lots for the approved Madison Yards at Hill Farms mixed-use planned development, one lot for the new 600,000 square-foot Hill Farms State Office Building and detached parking structure, and one lot for common greenspace and private streets to serve the subdivision of the overall 21-acre State of Wisconsin-owned property;
- Approval of a two-lot Certified Survey Map to create one lot for the State office building and parking garage and one lot for the future private mixed-use development; and
- Approval of the final plat of *Madison Yards at Hill Farms*, creating five lots for the approved Madison Yards at Hill Farms mixed-use planned development and one lot for common greenspace and private streets from Lot 2 of the proposed CSM.

Proposal Summary: The State is seeking approval to subdivide the 21-acre site into lots for their new nine-story, 600,000 square-foot office building and 2,400-stall parking garage and the approved Madison Yards at Hill Farms mixed-use development. The revised preliminary plat calls for a total of seven lots to be created from the property, including one for the State office building and parking garage. The lot configuration is similar to the configuration approved earlier this year. However, the State and developer of the mixed-use development are seeking relief from certain conditions of the previous preliminary plat approval with the revised submittal. Following approval of the revised preliminary plat, the State is requesting to divide the 21-acre site by Certified Survey Map to create one lot for the property to remain State-owned and one lot for the private development, after which the final plat of the subdivision will be recorded, creating the remaining lots from Lot 2 of the CSM. The State hopes to record the CSM as soon as all regulatory approvals have been granted, with recording of the final plat to follow later.

Applicable Regulations & Standards: The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations.

Review Required By: Plan Commission and Common Council.

Review Schedule: The State’s subdivision statute, Wis. Stats. 236, requires that a preliminary plat and Certified Survey Map be approved, conditionally approved, or rejected (with stated reasons) within 90 days of submittal unless the time is extended by agreement with the applicant. If no action is taken within 90 days and no extension

granted, the plat is deemed approved. The revised preliminary plat and CSM were submitted to the City on August 1, 2018. Therefore, the 90-day review period for this plat was scheduled to expire circa November 1, 2018.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward the revised preliminary plat of *Madison Yards at Hill Farms*, two-lot Certified Survey Map, and final plat of the *Madison Yards at Hill Farms* subdivision at 4802 Sheboygan Avenue to the Common Council with recommendations of **approval** subject to input at the public hearing and the conditions from reviewing agencies on pages 5–10 for the preliminary plat, pages 10–13 for the CSM, and pages 13–18 for the final plat. Comments from the Office of Real Estate Services may be found on pages 18–19 of the report.

Background Information

Parcel Location: Approximately 21 acres of land generally bounded by University Avenue on the north, N. Segoe Road on the east, Sheboygan Avenue on the south and the Badger Chapter of the American Red Cross property (Sheboygan and Eau Claire avenues) on the west, Aldermanic District 11 (Martin); Urban Design District 6; Madison Metropolitan School District.

Existing Conditions and Land Use: The site is developed with the nine-story, 600,000 square-foot Hill Farms State Office Building and 2,400-stall parking garage, zoned SE (Suburban Employment District) and approved but unrecorded PD (Planned Development District).

Surrounding Land Uses and Zoning:

North: Blackhawk Country Club in the Village of Shorewood Hills; State of Wisconsin office facility (Wisconsin Technical College System, State Records Center, etc.), zoned SE (Suburban Employment District);

South: Carolina Apartments, Hilldale Tower apartments, The Park Tower at Hilldale apartments, The Sovereign apartments, The Normandy apartments, all zoned TR-U2 (Traditional Residential–Urban 2 District); Rennebohm Park;

West: Badger Chapter of the American Red Cross, zoned SE;

East: Overlook at Hilldale apartments, Target, The Venture apartments, and Weston Place Condominiums, all zoned PD.

Adopted Land Use Plans: The 2006 Comprehensive Plan recommends the Hill Farms property, State-owned property across University Avenue, and Red Cross property to the west for Employment uses. The recently adopted 2018 *Imagine Madison Comprehensive Plan* recommends the western half of the property for Employment uses, while the eastern half is recommended for Regional Mixed-Use development.

At the request of the State, the subject site was not included within the boundaries of the 2016 University Hill Farms Neighborhood Plan. However, the plan includes some land use and transportation recommendations surrounding the site that are relevant to the proposed subdivision and previously approved Planned Development zoning, including the creation of a direct connection between the State of Wisconsin property and American Red Cross property.

Zoning Summary: The proposed lots will be zoned PD(GDP) and SE (Suburban Employment District).

Other Critical Zoning Items	
Yes:	(Urban Des. Dist. 6, PD zoning), Utility Easements, Barrier Free
No:	Urban Design, Floodplain, Wellhead Protection, Waterfront Development, Landmark, Adjacent to Park
<i>Prepared by: Jenny Kirchgatter, Asst. Zoning Administrator</i>	

Environmental Corridor Status: The property is not located within a mapped environmental corridor.

Public Utilities and Services: The property is served by a full range of urban services, including seven-day Metro Transit on multiple lines operating on Sheboygan Avenue, N. Segoe Road, and University Avenue.

Relevant Previous Approvals

On May 1, 2018, the Common Council approved a request to rezone 14 acres of land located at 4802 Sheboygan Avenue from SE to PD and approved a General Development Plan for the “Madison Yards at Hill Farms” development with up to 500,000 square feet of office space, 250,000 square feet of retail/ restaurant/ service space, 400 hotel rooms, and up to 600 residential units in a multi-building project.

On May 1, 2018, the Common Council also approved the preliminary plat of *Madison Yards at Hill Farms*, creating five lots for the mixed-use planned development, one lot for the 600,000 square-foot Hill Farms State Office Building and parking structure, and one lot for common greenspace and private roads to serve the development.

Project Description

The State of Wisconsin and SG Hill Farms, LLC, the private developer of the approved “Madison Yards at Hill Farms” planned development, are requesting approval of three related subdivision requests for the 21-acre State-owned property located at 4802 Sheboygan Avenue. As noted above, a General Development Plan for the eastern 14 acres of the overall site was approved on May 1, 2018, and finalization of that zoning entitlement is ongoing.

The applicants are first seeking approval of a revised preliminary plat of the *Madison Yards at Hill Farms* subdivision. The revised plat calls for one lot for the new 600,000 square-foot Hill Farms State Office Building and detached parking structure, five lots to be developed in accordance with the approved Madison Yards at Hill Farms mixed-use planned development, and one lot for common greenspace and private streets to serve the subdivision of the overall 21-acre State of Wisconsin-owned property. The revised preliminary plat is effectively the same layout as the one approved by the Common Council on May 1, 2018.

The applicants have sought approval of a new preliminary plat mostly to modify or remove certain conditions of the previous subdivision approval. Most notably, the applicants request relief from a condition requiring that the private streets internal to the development not become public streets upon resolution of the Common Council ten years after the recording of the final plat. The applicants have made clear to staff in discussions and in the letter of intent that they intend those streets to remain private in perpetuity. They are also requesting that a requirement to extend the public access easements for proposed “Madison Yards Way” to the far western property line to allow for the future extension of this street west onto the Red Cross property be removed. The

easement condition was recommended by the Planning Division consistent with the circulation recommendations north of Sheboygan Avenue contained in the University Hill Farms Neighborhood Plan. Finally, the applicants have requested to keep Lot 6 as initially proposed and to not divide it into a series of outlots as recommended by the City Engineering Division's Mapping Section.

In lieu of submitting a final plat for the entire 21-acre parcel consistent with the preliminary plat, the applicants are seeking approval of a two-lot Certified Survey Map to create one lot for the State office building and parking garage (preliminary plat Lot 7; CSM Lot 1) and one lot for the future private mixed-use development (CSM Lot 2). The final plat of *Madison Yards at Hill Farms* proposes to create five lots for the approved Madison Yards at Hill Farms mixed-use planned development (Lots 1-5) and one lot for common greenspace and private streets (Lot 6) from Lot 2 of the CSM. The State intends to record the two-lot CSM on a faster timeline than recording of the final plat for the rest of the site by SG Hill Farms, LLC, hence the separate requests.

Analysis and Conclusion

The Planning Division believes that the Plan Commission may find that the revised preliminary plat for Madison Yards at Hill Farms, two-lot CSM, and final plat meet the respective standards for approval in the Subdivision Regulations subject to the conditions in the 'Recommendations' section of this report, which are broken out by request with the exception of the Office of Real Estate Services' conditions, which apply universally to all three requests.

Staff is no longer recommending conditions of approval that require that the internal private streets be built to public standards, or that those streets be dedicated to the public ten years following recording of the final plat if so ordered by the Common Council, as previously required. While staff has reservations about the use of private streets to serve fee simple subdivisions due to concerns about the governance of those shared facilities by private covenants, the long-term costs of maintaining private infrastructure (especially if not constructed to public standards), and the ability for associations to sustain adequate funds for those costs, the developers have made it clear that they do not wish for these streets to be publicly owned, and that they will be privately owned and maintained in perpetuity.

As with any plat proposing privately maintained subdivision elements, the applicant will be required to submit to the Planning Division two copies of the private subdivision covenants, conditions and restrictions that will govern the organizational structure, use, maintenance and continued protection of the development and any common services, open areas or other facilities to serve the subdivision. These documents will be approved by the Planning Division in consultation with the City Attorney's Office and City Engineer prior to recording of the CSM and final plat of the Madison Yards at Hill Farms subdivision. Easements for public pedestrian, bicycle and vehicular access and use of the privately maintained streets will also be recorded on the face of the plat and CSM.

However, the Planning Division and Traffic Engineering Division continue to recommend that the applicants allow future cross access with the American Red Cross property west of the subject site if/when it redevelops. The creation of a connection between the Red Cross and State parcels is a recommendation in the 2012 University Hill Farms Neighborhood Plan, which calls for circulation between the two parcels as they redevelop. The creation of a common access between the two sites should result in a more integrated development pattern between Sheboygan Avenue and University Avenue than has historically existed, and should lessen the dependence on

perimeter public streets to serve the density of development approved for the State property (including the 14-acre "Madison Yards" project) and recommended for the Red Cross parcel in the neighborhood plan.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission forward the revised preliminary plat of *Madison Yards at Hill Farms*, two-lot Certified Survey Map, and final plat of the *Madison Yards at Hill Farms* subdivision at 4802 Sheboygan Avenue to the Common Council with recommendations of **approval** subject to input at the public hearing and the following conditions submitted by reviewing agencies:

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

1. Prior to final approval of the CSM and final plat for recording, extend the future public access easements for Madison Yards Way to the far western property line to allow for the future extension of this street west onto the Red Cross property consistent with the recommendations for circulation north of Sheboygan Avenue in the University Hill Farms Neighborhood Plan.
2. The applicant shall submit to the Planning Division two copies of the private subdivision covenants, conditions and restrictions that govern the organizational structure, use, maintenance and continued protection of the development and any common services, open areas or other facilities to serve the proposed subdivision. These documents shall be approved by the Planning Division in consultation with the City Attorney's Office and City Engineer prior to final approval of the CSM and final plat for recording.

→ The following conditions have been submitted by reviewing agencies for the revised preliminary plat:

City Engineering Division (Contact Tim Troester, 267-1995)

3. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
4. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
5. The construction of this project will require that the applicant shall enter into a City/ Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Note: Obtaining a developers agreement generally takes approximately 4-6 weeks, minimum.

6. 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.
7. 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 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 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 5.0-tons per acre per year.
8. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151; however, a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt of the WDNR at 273-5612 to discuss this requirement.
9. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat, the applicant shall contact either Tim Troester at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley at 261-9127 (bstanley@cityofmadison.com) 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).
10. Storm sewer within this plat is to be privately owned and maintained.
11. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to: detain the 2-, 10-, and 100-year storm events, matching post-development rates to pre-development rates for added impervious area over 20,000 square feet; reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls and compared to the existing site; provide infiltration in accordance with MGO Chapter 37; and 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 MGO Chapter 37.
12. The applicant shall execute a waiver of notice and hearing on the assessments for the improvements as required by the City Traffic Engineer as defined in accordance with Section 66.0703(7)(b) Wisconsin Statutes and MGO Section 4.09.
13. The approval of this development does not include the approval of the changes to public roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer.

14. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
15. The applicant shall replace all sidewalk and curb and gutter that abuts the property that is damaged by the construction, or any sidewalk and curb and gutter, which the City Engineer determines needs to be replaced because it is not at a desirable grade, regardless of whether the condition existed prior to beginning construction.
16. The applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
17. All work in the public right of way shall be performed by a City-licensed contractor.
18. All damage to the pavement on all public streets adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
19. The developer shall confirm that adequate sight distance exists at all new intersections. 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.

City Engineering Division–Mapping Section (Contact Jeff Quamme, 266-4097)

20. The applicant shall provide separate documents for review including private reciprocal easements, restrictive covenants and agreements addressing, but not limited to, pedestrian/vehicular access, parking, private utilities, common areas (including the Central Green), storm drainage and storm water management (including silva cells) that are necessary to accomplish the development as proposed. The drafts shall be provided prior to final plat sign off. They shall be recorded prior or simultaneous with Specific Implementation Plan (SIP) approval(s).
21. The internal road system is planned to be private. The applicant shall provide public easements for public pedestrian, bicycle and vehicular access and use on the face of the plat and CSM. Separate documents may be required to be drafted, reviewed and coordinated with City Engineering and Real Estate staff. All required documents shall be recorded immediately after the applicable subdivision and Certified Survey Map and shall be recorded prior to or simultaneously with applicable SIP approvals. The documents shall set forth specific restrictions, rights and responsibilities of the parties subject to or benefitting from the easements within the lots and outlots being divided.
22. There are Public Sanitary Sewer and Water Main facilities that exist and many to be constructed as part of the development. The applicant shall provide public easements for public water main and sanitary sewer throughout the proposed plat and CSM. Separate documents shall be drafted, reviewed and coordinated with City Engineering and Real Estate staff. All required documents shall be recorded immediately after the

applicable subdivision and Certified Survey Map and shall be recorded prior to or simultaneously with applicable SIP approvals. The documents shall set forth specific restrictions, rights and responsibilities of the parties subject to or benefitting from the easements within the lots and outlots being divided. Permitted private street and/or other private improvements within any easement area may be removed by the City as necessary during any required construction, maintenance or repair of the public facilities without replacement or compensation to the owner.

23. This future final plat shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded plat image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in the parcel database so that the permitting system can upload this data and permit issuance made available for the new lots.
24. The northeast corner of this plat appears to be over one foot northerly of the right of way per Hilldale Hurrah and University Hill Farms Park Addition. The surveyor shall review the University Avenue right of way and provide information substantiating the location of the right of way.
25. Provide recorded as data on all courses around the exterior of the plat.
26. Show and label the MG&E Easement per Document No. 5261750.
27. The 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.
28. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates 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.
29. 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. 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. Include any and all language required to properly and legally create any easement by the plat or CSM.
30. The final plat shall conform to all requirements of Chapter 236 Wisconsin Statutes and City of Madison Ordinances for platting prior to final sign off.

Traffic Engineering Division (Contact Sean Malloy, 266-5987)

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| 31. The applicant shall work with the Traffic Engineering Division and the Wisconsin Department of Transportation to allow future cross access if/when the property to the west redevelops. |
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Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

This agency reviewed the preliminary plat and has recommended no conditions or approval.

Fire Department (Contact Bill Sullivan, 261-9658)

This agency reviewed the preliminary plat and has recommended no conditions or approval.

Water Utility (Contact Adam Wiederhoeft, 266-9121)

32. All public water mains and water service laterals shall be installed by a standard City subdivision contract/ City-Developer agreement. The applicant shall contact the City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.

Parks Division (Contact Sarah Lerner, 261-4281)

33. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the West Park -Infrastructure Impact Fee district. Please reference ID# 18101 when contacting Parks Division staff about this project.

34. Pursuant to MGO Section 20.08 (2)(c)2.d., the park impact fee may be reduced for multi-family dwelling units that are limited to occupancy by persons fifty-five (55) years of age or older by appropriated recorded restriction for a period of not less than thirty (30) years.

35. Existing street trees shall be protected. Please include the following note on the site plan: "Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in Section 107.13 of the *City of Madison Standard Specifications for Public Works Construction*. Any tree removals that are required for construction after the development plan is approved will require at least a 72-hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan."

36. The contractor shall contact City Forestry Brad Hofmann bhofmann@cityofmadison.com or 266-4816 at least one week prior to planting to schedule inspecting the nursery stock and review planting specifications with the landscaper.

37. Additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. Tree planting specifications can be found in Section 209 of the *City of Madison Standard Specifications for Public Works Construction*.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency reviewed the preliminary plat and has recommended no conditions or approval.

→ **The following conditions have been submitted by reviewing agencies for the Certified Survey Map (CSM):**

City Engineering Division (Contact Tim Troester, 267-1995)

1. The construction of this project will require that the applicant shall enter into a City/ Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Note: Obtaining a developers agreement generally takes approximately 4-6 weeks, minimum.
2. 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.
3. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
4. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
5. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM, the applicant shall contact either Tim Troester at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley at 261-9127 (bstanley@cityofmadison.com) 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).
6. The following note shall be placed on the CSM: "No changes in drainage patterns associated with development on any or all lots within this CSM shall be allowed without prior approval of the City Engineer."
7. The following note shall be added to the CSM: "All lots created by this certified survey map are individually responsible for compliance with Chapter 37 of Madison General Ordinances in regard to stormwater management at the time they develop."
8. The applicant shall execute a waiver of notice and hearing on the assessments for the improvements as required by the City Traffic Engineer in accordance with Section 66.0703(7)(b) Wisconsin Statutes and MGO Section 4.09.

9. The approval of this development does not include the approval of the changes to public roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer.
10. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
11. The applicant shall replace all sidewalk and curb and gutter that abuts the property that is damaged by the construction, or any sidewalk and curb and gutter, which the City Engineer determines needs to be replaced because it is not at a desirable grade, regardless of whether the condition existed prior to beginning construction.
12. The applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
13. All work in the public right of way shall be performed by a City-licensed contractor.
14. All damage to the pavement on all public streets adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.

City Engineering Division—Mapping Section (Contact Jeff Quamme, 266-4097)

15. Correct the legal description: the first bearing of the tie states S & E; it should be N & W.
16. The internal road system is planned to be private. The applicant shall provide public easements for public pedestrian, bicycle and vehicular access through proposed Lot 1 of this CSM. Separate documents may be required to be drafted, reviewed and coordinated with City Engineering and Real Estate staff. All required documents shall be recorded immediately after the Certified Survey Map and shall be recorded prior to or simultaneously with applicable SIP approvals on the planned adjacent development to the east of Lot 1. The documents shall set forth specific restrictions, rights and responsibilities of the parties subject to or benefitting from the easements within the lots and outlots being divided.
17. There are Public Sanitary Sewer and Water Main facilities that currently exist and some to be extended as part of this development. The applicant shall provide public easements for public water main and sanitary sewer through Lot 1 of this proposed CSM. Separate documents shall be drafted, reviewed and coordinated with City Engineering and Real Estate staff. All required documents shall be recorded immediately after the Certified Survey Map. The documents shall set forth specific restrictions, rights and responsibilities of the parties subject to or benefitting from the easements within said Lot 1. Permitted private street and/or other private improvements within any easement area may be removed by the City as necessary during any required

construction, maintenance or repair of the public facilities without replacement or compensation to the owner.

18. The northeast corner of this CSM appears to be over one foot northerly of the right of way per Hilldale Hurrah and University Hill Farms Park Addition. The surveyor shall review the University Avenue right of way and provide information substantiating the location of the right of way or shall adjust the right of way on the CSM.
19. Provide recorded as data on all courses around the exterior of the CSM.
20. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates 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.
21. The final plat shall conform to all requirements of Chapter 236 of Wisconsin Statutes and City of Madison Ordinances for platting prior to final sign off.
22. Lot 2 shall be changed to Outlot 1 - Reserved for Future Development.
23. Add to the dedication detail at the southwest corner of the CSM "Sheboygan Avenue - Dedicated to the Public".

Traffic Engineering Division (Contact Sean Malloy, 266-5987)

24. The applicant shall work with the Traffic Engineering Division and the Wisconsin Department of Transportation to allow future cross access if/when the property to the west redevelops.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

This agency reviewed the CSM and has recommended no conditions or approval.

Fire Department (Contact Bill Sullivan, 261-9658)

This agency reviewed the CSM and has recommended no conditions or approval.

Water Utility (Contact Adam Wiederhoeft, 266-9121)

This agency reviewed the CSM and has recommended no conditions or approval.

Parks Division (Contact Sarah Lerner, 261-4281)

25. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the West Park -Infrastructure Impact Fee district. Please reference ID# 18101 when contacting Parks Division staff about this project.

26. Pursuant to MGO Section 20.08 (2)(c)2.d., the park impact fee may be reduced for multi-family dwelling units that are limited to occupancy by persons fifty-five (55) years of age or older by appropriated recorded restriction for a period of not less than thirty (30) years.
27. The following note should be included on the CSM: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."
28. Prior to sign off on the CSM, the applicant shall execute a declaration of conditions and covenants along with an impact fee schedule for the park impact fees for this development. This document will be recorded at the Register of Deeds. The applicant shall pay for the recording fees. Parks Division will be required to sign off on this CSM.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency reviewed the CSM and has recommended no conditions or approval.

→ The following conditions have been submitted by reviewing agencies for the final plat:

City Engineering Division (Contact Tim Troester, 267-1995)

1. The construction of this project will require that the applicant shall enter into a City/ Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Note: Obtaining a developers agreement generally takes approximately 4-6 weeks, minimum.
2. 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.
3. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
4. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
5. 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 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 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 5.0-tons per acre per year.

6. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151; however, a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt of the WDNR at 273-5612 to discuss this requirement.
7. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat, the applicant shall contact either Tim Troester at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley at 261-9127 (bstanley@cityofmadison.com) 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).
8. Storm sewer within this plat is to be privately owned and maintained.
9. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to: detain the 2-, 10-, and 100-year storm events, matching post-development rates to pre-development rates for added impervious area over 20,000 square feet; reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls and compared to the existing site; provide infiltration in accordance with MGO Chapter 37; and 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 MGO Chapter 37.
10. The applicant shall execute a waiver of notice and hearing on the assessments for the improvements as required by the City Traffic Engineer in accordance with Section 66.0703(7)(b) Wisconsin Statutes and MGO Section 4.09.
11. The approval of this development does not include the approval of the changes to public roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer.
12. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
13. The applicant shall replace all sidewalk and curb and gutter that abuts the property that is damaged by the construction, or any sidewalk and curb and gutter, which the City Engineer determines needs to be replaced because it is not at a desirable grade, regardless of whether the condition existed prior to beginning construction.

14. The applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
15. All work in the public right of way shall be performed by a City-licensed contractor.
16. All damage to the pavement on all public streets adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
17. The developer shall confirm that adequate sight distance exists at all new intersections. 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.

City Engineering Division–Mapping Section (Contact Jeff Quamme, 266-4097)

18. The applicant shall provide separate documents for review including private reciprocal easements, restrictive covenants and agreements addressing, but not limited to, pedestrian/vehicular access, parking, private utilities, common areas (including the Central Green), storm drainage and storm water management (including silva cells) that are necessary to accomplish the development as proposed. The drafts shall be provided prior to final plat sign off. They shall be recorded prior or simultaneous with Specific Implementation Plan (SIP) approval(s).
19. The internal road system is planned to be private. The applicant shall provide public easements for public pedestrian, bicycle and vehicular access and use on the face of the plat and CSM. Separate documents may be required to be drafted, reviewed and coordinated with City Engineering and Real Estate staff. All required documents shall be recorded immediately after the applicable subdivision and Certified Survey Map and shall be recorded prior to or simultaneously with applicable SIP approvals. The documents shall set forth specific restrictions, rights and responsibilities of the parties subject to or benefitting from the easements within the lots and outlots being divided.
20. There are Public Sanitary Sewer and Water Main facilities that exist and many to be constructed as part of the development. The applicant shall provide public easements for public water main and sanitary sewer throughout the proposed plat and CSM. Separate documents shall be drafted, reviewed and coordinated with City Engineering and Real Estate staff. All required documents shall be recorded immediately after the applicable subdivision and Certified Survey Map and shall be recorded prior to or simultaneously with applicable SIP approvals. The documents shall set forth specific restrictions, rights and responsibilities of the parties subject to or benefitting from the easements within the lots and outlots being divided. Permitted private street and/or other private improvements within any easement area may be removed by the City as necessary during any required construction, maintenance or repair of the public facilities without replacement or compensation to the owner.
21. This final plat shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded plat image is available from the ROD, the

Assessor's Office can then create the new Address-Parcel-Owner (APO) data in the parcel database so that the permitting system can upload this data and permit issuance made available for the new lots.

22. The northeast corner of this plat appears to be over one foot northerly of the right of way per Hilldale Hurrah and University Hill Farms Park Addition. The surveyor shall review the University Avenue right of way and provide information substantiating the location of the right of way.
23. Provide recorded as data on all courses around the exterior of the plat.
24. Show and label the MG&E Easement per Document No. 5261750.
25. The 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.
26. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates 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.
27. 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. 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. Include any and all language required to properly and legally create any easement by the plat or CSM.
28. The final plat shall conform to all requirements of Chapter 236 of Wisconsin Statutes and City of Madison Ordinances for platting prior to final sign off.
29. The plat lands will likely not be owned by the State of Wisconsin when this plat is recorded. The applicant shall provide updated title information and revisions to the Owner's Certificate prior to final plat sign off.
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 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 and shall be attached to a signed and sealed monument condition report.
31. Prior to City Engineering Division final sign-off by main office for plats or Certified Survey Maps (CSM), the final Plat or CSM must be submitted to the City Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two (2) working days prior to final City Engineering Division sign-off. Electronic mail submittal of the **final** plat or CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.

32. The applicant shall submit to Jeff Quamme, prior to Engineering sign-off of the subject CSM, one (1) digital CADD drawing and one (1) signed copy of the final CSM to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe PDF format. The digital CADD file shall be submitted in the WISDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat, which occur subsequent to any original submittal of data and prior to final sign off.

Traffic Engineering Division (Contact Sean Malloy, 266-5987)

33. The applicant shall work with the Traffic Engineering Division and the Wisconsin Department of Transportation to allow future cross access if/when the property to the west redevelops.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

This agency reviewed the final plat and has recommended no conditions or approval.

Fire Department (Contact Bill Sullivan, 261-9658)

This agency reviewed the final plat and has recommended no conditions or approval.

Water Utility (Contact Adam Wiederhoeft, 266-9121)

34. All public water mains and water service laterals shall be installed by a standard City subdivision contract/ City-Developer agreement. The applicant shall contact the City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.

Parks Division (Contact Sarah Lerner, 261-4281)

35. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the West Park -Infrastructure Impact Fee district. Please reference ID# 18101 when contacting Parks Division staff about this project.

36. Pursuant to MGO Section 20.08 (2)(c)2.d., the park impact fee may be reduced for multi-family dwelling units that are limited to occupancy by persons fifty-five (55) years of age or older by appropriated recorded restriction for a period of not less than thirty (30) years.

37. Existing street trees shall be protected. Please include the following note on the site plan: “Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in Section 107.13 of the *City of Madison Standard Specifications for Public Works Construction*. Any tree removals that are required for construction after the development plan is approved will require at least a 72-hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.”
38. The contractor shall contact City Forestry Brad Hofmann bhofmann@cityofmadison.com or 266-4816 at least one week prior to planting to schedule inspecting the nursery stock and review planting specifications with the landscaper.
39. Additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. Tree planting specifications can be found in Section 209 of the *City of Madison Standard Specifications for Public Works Construction*.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency reviewed the final plat and has recommended no conditions or approval.

→ **Office of Real Estate Services Conditions on the Preliminary Plat, Certified Survey Map and Final Plat**
(Heidi Radlinger, 266-6558)

1. Entity named on owner’s certificate shall be consistent with the ownership interest reported in the most recent title report.
2. A certificate of consent for all mortgagees shall be included and executed prior to sign-off. If mortgages of record are paid off prior to plat or CSM approval, a copy of the recorded satisfaction for said mortgage shall be provided prior to sign-off.
3. There is a special assessment reported for the parcel within the subdivision boundary. Pursuant to MGO Section 16.23(5)(e)1 and Wis. Stats. 236.21(3), all special assessments, including accrued interest in the case of delinquencies, shall be paid by the owner prior to final plat or CSM approval sign off. Receipts for payment shall be provided to the City’s Office of Real Estate Services in advance of plat approval sign-off.
4. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger in the City’s Office of Real Estate Services (hradlinger@cityofmadison.com), as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (November 27, 2017) and the date when sign-off approval is requested. A title commitment may be provided, but will only

be considered as supplementary information to the title report update. The surveyor shall update the plat with the most recent information available in the title report update.

5. Note: The owner shall email the document number of the recorded final plat and CSM to Heidi Radlinger hradlinger@cityofmadison.com in the Office of Real Estate Services as soon as it is available.
6. The CSM and final plat shall show the following, as applicable:
 - a.) Depict the Underground Electric Easement per Document No. 5261780.
 - b.) Remove Temporary Limited Easement from title as TLE set forth via Document No. 4827956 (pursuant to TPP 5992-08-18 4.09, Document No. 4777515) terminated December 31, 2013.