



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

Madison Municipal Building, Suite LL-100
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
Phone: (608) 266-4635
Fax (608) 267-8739
www.cityofmadison.com

TO: Plan Commission
FROM: Timothy M. Parks, Planner
DATE: April 18, 2016
SUBJECT: ID [42143](#) – Approval of the preliminary plat and final plat of “Village at Autumn Lake Replat No. 1” to create 9 lots for single-family attached housing and 1 outlot for a private drive at 5703 Summer Shine Drive; 17th Ald. Dist. (Baldeh).

The applicant, VAL, LLC (Veridian Homes), is requesting approval of a preliminary plat and final plat to replat Lot 641 of the recorded Village at Autumn Lake Replat subdivision into 9 additional fee simple lots to be developed with a townhouse building. The 0.75-acre lot is zoned TR-P (Traditional Residential–Planned District) and was approved on the corresponding master plan for Village at Autumn Lake for development with up to 10 townhouse units. The subject site fronts onto Autumn Lake Parkway, with secondary frontages along Lien Road and Summer Shine Drive, the latter of which is a local street that parallels Lien and provides access to lots platted for future single-family detached residences that will be located east of the subject site.

The proposed 9-unit building will face onto Autumn Lake Parkway and will be served by a private drive that will extend into the site from Summer Shine Drive along the eastern edge of the site. The drive will be located in a private outlot (Outlot 66) to be located at the rears of the 9 lots, Lots 1087-1095. No vehicular access to Lien Road will be allowed for the drive per an existing access restriction created by the original replat. As required by the Subdivision Regulations, the applicant will be required to submit restrictive covenants for City review prior to recording that address the common maintenance of the exterior of the building and the private drive serving the townhouse subdivision.

In closing, the Planning Division recommends that the Plan Commission forward the preliminary plat and final plat of “Village at Autumn Lake Replat No. 1” located at 5703 Summer Shine Drive to the Common Council with a recommendation of **approval** subject to input at the public hearing and the following conditions:

Planning Division (Contact Tim Parks, 261-9632)

1. 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 prior to final approval of the plat for recording.

2. A note shall be placed on the final plat as follows: "The alley on Outlot 66 shall be privately maintained by the owners of Lots 1087-1095. The City of Madison will not repair or reconstruct this alley, and public refuse collection shall not occur on the private alley."
3. The lots and dwellings shall have separate sanitary sewer service laterals and lines, subject to including a provision in a joint access and maintenance agreement that addresses emergency access to, and the responsibility for, sanitary sewer building blockage.
4. The lots shall have a joint cross access and maintenance agreement that addresses the common use of, and the responsibility for, the private drive/alley and exterior of the townhouse building, including the walls, roof and landscaping. The final agreement shall be recorded with the final plat.
5. The townhouse units shall have separate gas and electric meters.

The following conditions of approval have been submitted by reviewing agencies:

City Engineering Division (Contact Brenda Stanley, 261-9127)

6. At the time of entry into the developer agreement the lots created by this plat shall be removed from the aggregate Storm Water Utility bill that is currently sent out to Veridian and its assigns and individual bills will be sent out for all the parcels created.
7. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
8. 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 2 working days prior to requesting City Engineering signoff.
9. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. This property is subject to Sanitary Connection charges for the Felland Road Neighborhood Sanitary Sewer Improvement Impact Fee District.
10. The construction of this project will require 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. [Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.]
11. A minimum of 2 working days prior to requesting City Engineering signoff on the plat, the applicant shall contact Brenda Stanley (261-9127) to obtain the final stormwater utility charges that are due and payable prior to subdivision 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. The developer shall construct Madison standard street and sidewalk improvements for all streets within the plat.

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

13. Outlot 66 is to provide private common private vehicular access for Lots 1087-1095. The plat shall acknowledge a common access easement for the lots over OL 66. The easement shall on the plat, or by a separate recorded instrument, set forth all restrictions, construction and maintenance requirements for the easement area. If a separate instrument is to be utilized, a draft shall be provided for review and comment prior to final sign off.
14. Revise the Document No. for the vehicular access restriction note to 5198663. The original restriction was released by Document No. 5198663 and the new restriction set forth by the Village of Autumn Lake Replat, Document No. 5201276.
15. The current right of way width south of the section line opposite this plat shall be revised from 40 feet to 33 feet.
16. Add a note that this plat is subject to Declaration of Conditions and Covenants per Document No. 5217504.

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

18. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat 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.

*New electronic final plat transmittals and notification of changes which occur to the final plat during the time the Engineering Division signs off and receives the digital copies of said plat and the recording thereof, are the responsibility of the Developer/Surveyor.

19. This pending plat application 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 data in the parcel database so that the permitting system can upload this data and permit issuance made available for this new land record.
20. 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.

Traffic Engineering Division (Contact Eric Halvorson, 266-6527)

This agency did not provide comments for this request.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

This agency submitted a response with no conditions of approval for this request.

Fire Department (Contact Bill Sullivan, 261-9658)

21. Provide the following information to the buyer of each individual lot: "The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e)."

Water Utility (Contact Dennis Cawley, 261-9243)

22. Each lot shall have a separate water lateral connected to a public water main.

23. All operating private wells shall be identified and permitted by the Madison Water Utility and all unused private wells shall be abandoned in accordance with MGO Sec. 13.21.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency submitted a response with no conditions of approval for this request.

Parks Division (Contact Janet Schmidt, 261-9688)

24. The final plat contemplates 9 single family lots. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. The developer must select a method for payment of park fees before signoff on the final plat. This development is within the Door Creek park impact fee district. Please reference ID# 12118.1 when contacting Parks Division staff about this project.

25. The following note shall be included on the plat: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."
26. Prior to sign off on the final plat, 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.

Office of Real Estate Services (Jenny Frese, 267-8719)

27. Prior to approval sign-off, the Owner's Certificate(s) on the PP/FP shall be executed by all parties having an interest in the property, pursuant to Wis. Stats. 236.21(2)(a). Certificates shall be prepared with the ownership interests consistent with the most recent title report. Signatories shall provide documentation that proves legal authority to sign the Owner's Certificate. The executed original hard stock recordable plat shall be presented at the time of sign-off.
28. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to plat approval sign-off.
29. As of April 8, 2016, the real estate taxes are paid for the subject property and there are no special assessments reported. Under 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to Plat recording. This includes property tax bills for the prior year that are distributed at the beginning of the year.
30. Pursuant to Madison City Ordinance Section 16.23(5)(e)1 and Wis. Stats. 236.21(3), any special assessments levied against the subject property prior to final plat approval sign-off shall be paid in full.
31. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish to the City's Office of Real Estate Services, as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (February 10, 2016) and the date when sign-off approval is requested. The surveyor shall update the plat with the most recent information available in the title report update.
32. The final plat shall be revised prior to sign-off as follows:
- a.) Although not included in the title report dated February 10, 2016, please reference Document No. 4195256 in the Notes, as it encumbers the lands within the plat boundary.
 - b.) Remove DCC Doc. No. 4255053 from the Notes section, as it only encumbers Outlot 37, Village of Autumn Lake.
- cc: Jeff Rosenberg, Veridian Homes
Brett Stoffregan, D'Onofrio Kottke & Associates
Ald. Samba Baldeh, District 17