



Department of Planning & Community & Economic Development

Planning Division

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September 7, 2016

John Krebs and Rachel Holloway
JSD Professional Services
161 Horizon Drive, Suite 101
Verona, Wisconsin 53593

RE: Approval of a revised preliminary plat and final plat in the City's extraterritorial plat approval jurisdiction creating 12 single-family lots and 2 outlots for stormwater management and open space in the Town of Middleton, with a third outlot to be created initially in the Town for development in the City of Madison following future attachment (Tommy Van Ess Realty).

Dear Mr. Krebs & Ms. Holloway;

At its September 7, 2016 meeting, the City of Madison Common Council **conditionally approved** the revised preliminary plat and final plat of "Aspen Meadow Estates" subject to the following conditions of approval to be addressed prior to final approval and recording of the final plat:

Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following eight (8) items:

1. The applicant shall be responsible for replacement of the existing culvert under Meadow Road, draining to the City of Madison. This replacement shall be adequate to convey the 100 year event. The design and calculations shall be approved by the City Engineer.
2. The applicant shall be responsible for construction of a ditch across the City of Madison's property to the major north-south drainage way on the east side of Meadow Road. A permit shall be obtained from the City of Madison to complete this work.
3. The applicant shall record deed restrictions on lots 1 through 12 to denote that lot owners shall be made aware that Pioneer Road is planned for extension northward from Aspen Meadows Plat up to Valley View Road.
4. When Outlot 2 develops in the future, it will be in the City of Madison. Pioneer Road represents the boundary line separating the Town of Middleton from the City of Madison. In the future, Outlot 2 will require a developer's agreement to extend City services to serve the lot. Outlot 2 will be subject to the City of Madison sanitary and storm sewer impact fees (Lower Badger Mill Creek Sanitary Sewer and Storm Sewer Management Impact Fee District) and Madison Metropolitan Sewerage District sewer area connection fees will also become due.

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 developer's agreement generally takes a minimum of approximately 4-6 weeks.
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. The developer shall note the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat.
8. The developer shall confirm that adequate sight distance exists on Pioneer Road where public streets intersect. 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.

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have any questions regarding the following eleven (11) items:

9. Add to the end of note 25a (shown as 27a on the plat) as follows: "This restriction has been released by the City of Madison per Document No. _____." The release document shall prepared by City Office of Real Estate Services. The applicant must prepare a legal description and provide to Engineering Land Records Coordinator Jeff Quamme for review. Upon approval of the exhibits and payment of the required \$500 administration fee (check payable to City of Madison Treasurer) to cover staff time and recording costs, Engineering will create the necessary Office of Real Estate Services (ORES) Project. ORES staff will then administer the release document(s) and record with the Dane County Register of Deeds.
10. The restrictive covenant per Doc. No. 3441613 requires a petition to attach to the City of Madison prior to any request for subdivision of Lot 1 and 2 of CSM 10312. Subsequent to this Restrictive Covenant, the City of Madison and Town of Middleton adopted a cooperative plan setting forth the future cooperative boundary between the City and Town along the centerline of the realigned Pioneer Road dedicated by an approved plat.
11. Remove from Note 24 the following text: "This restriction is released by Document No. _____".
12. Remove notes 15 and 16. The City of Madison does not regulate public drainage easements along lot lines that are in the Town of Middleton.
13. That portion of the restriction of use limited to a landscape contractor business per Document No. 2278234 and 3049851 lying within this plat shall be released and recorded at the Register of Deeds. Once released notes 17 and 18 shall be removed from the plat.

14. Show and label the right of way to Mid Plains Telephone per Document No. 3141440 or provide the easement release document.
15. Add a note to see Note 22 on sheet 2 to the no vehicular access detail under the legend.
16. The surveyor shall identify any deviation from City Master Control with recorded and measured designations for the section corners referenced on the final plat. City of Madison has established WCCS, Dane Zone Coordinates on all PLS corners within and adjacent its corporate boundary. Visit the Dane County Surveyor's Office for current tie sheets and control data that has been provided by the City of Madison.
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 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. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. 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. Prior to Engineering final sign-off by main office for Plats, the final Plat or CSM must be submitted to Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of 2 working days prior to final Engineering Division signoff. Electronic mail submittal of the FINAL Plat or CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.

Please contact Janet Schmidt of the Parks Division at 261-9688 if you have any questions regarding the following two (2) items:

20. The City of Madison and Town of Middleton Cooperative Boundary Agreement calls for the realignment of Pioneer Road and Meadow Road to allow for one continuous north south route. It is anticipated that lands west of the realigned Pioneer Road will be within the Town and lands east will be within the City. Any lands within the City of Madison will be subject to Park impact fees which are required for all new residential development. Fees will be determined at the time of any zoning or land use approvals for properties within the City. Reference Park Memo ID# 15164.
21. 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."

Please contact Jenny Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following six (6) items:

22. The name in the owner's certificate is not consistent with the ownership interest reported in record title. Prior to approval sign-off, the owner's certificate on the final plat shall be executed by the current party of interest, pursuant to Wis. Stats. 236.21(2)(a). 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.
23. There are no mortgages of record in listed in the title report. If mortgages are not secured prior to plat approval, remove the two mortgage certificates shown on the plat. Otherwise, a certificate of consent for all mortgagees/vendors shall be executed prior to final sign-off.
24. Provide copies of any Phase 1 and/or Phase 2 Environmental Site Assessments to Brynn Bemis in City Engineering that may have been completed for any portion of the property within the final plat boundary.
25. As of July 27, 2016, the 2015 real estate taxes, which include special assessments, have been paid. Under Section 236.21(3) Wis. Statutes, the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to final plat sign-off. This includes tax bills that are distributed at year end for the upcoming year.
26. Pursuant to MGO 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 (December 14, 2015) and the date when sign-off is requested. The surveyor shall update the plat with the most recent information available in the title report update.
27. Please revise the final plat prior to final sign-off as follows:
 - a.) Remove Lot 2 from the legal description header in both sheets of the plat.
 - b.) Remove Note 18, as the restriction was released by Document No. 4845653.

- c.) Research the legal description for Document No. 3049851 to determine if it affects the lands within the plat boundary. Include a Note describing said document if it does.
- d.) Combine Notes 7 and 14 to avoid duplication.
- e.) Include the word “public” in the detail for the utility easements and revise the text (Notes 8-11) to include on those Notes that pertain to public utility easements.
- f.) On Sheet 1, label the adjacent lot on the southern border of the plat with the correct CSM, CSM 9111.
- g.) Use consistent language when labeling and describing the public vision corner easements, as follows:
- revise Note #2 on Sheet 1 to begin with the language “Public Vision Corner Easements”
 - revise the label for the temporary easement at the intersection of Pioneer Road and Meadow Road to “Public Vision Corner Easement”
 - label the two easement areas shown at the intersection of Pioneer Road and Loveland Pass with “Public Vision Corner Easements – see Detail A”
 - label Detail A as “Vision Corner Easements-Detail A”
- h.) Use consistent language when labeling and describing the vision triangle easement for driveways, as follows:
- label the easement area shown on proposed Lots 2 and 3 with “Public Vision Triangle Easement – see Detail B and Note 11”
 - Revise the label for the Driveway Vision Triangle detail area to “Vision Triangle Easement-Detail B”
 - Revise Note 11 to “Vision Triangle Easement: 90’ x 90’ x 90’ easement applies to driveways on Lot 1, 2 and 3, as shown in Detail B.
- i.) Label the purpose of Outlot 1 as “dedicated to the public for stormwater management”.
- j.) Remove the text describing the purpose of Outlot 3 from the Public Recreational Trail Easement area and revise it to “dedicated as public open space”.
- k.) Remove the depiction of the Public Recreational Trail Easement area from the Loveland Pass right of way.
- l.) Correct the typo in Note 5 to “Outlot 2”.
- m.) Add the text “See Note 21” to the labels for the temporary road right-of-way depiction, as well as the Legend showing the line work for said easement.
- n.) Add the text “and drainage” to the description of the easement in Note 21.
- o.) Add the text “See Notes 22, 23 and 30” to the label for Outlot 2.

p.) Change the numbering under Note 25 from 27a and 27b to 25a and 25b.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Prior to City Engineering final sign-off by the main office of the plat, the final plat shall 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 signoff. E-mail submittal of the final plat in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.

Any appeal regarding the plat, including the conditions of approval related thereto, must be filed with the Circuit Court within thirty (30) days from the date of this letter. The approval of this final plat shall be null and void if not recorded in twelve (12) months from the date of this letter. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Tim Troester, City Engineering Division
Jeff Quamme, City Engineering Division – Mapping Section
Janet Schmidt, Parks Division
Jenny Frese, Office of Real Estate Services
Dan Everson, Dane County Planning & Development