



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

---

Madison Municipal Building, Suite 017  
215 Martin Luther King Jr. Boulevard  
Madison, Wisconsin 53703  
Phone: (608) 266-4635  
[www.cityofmadison.com](http://www.cityofmadison.com)

March 11, 2019

Noa Prieve  
Williamson Surveying and Associates, LLC  
104A W. Main Street  
Waunakee, Wisconsin 53597

RE: Approval of the final plat of *Jannah Village*, creating 49 lots for single-family detached residences, four lots for two-family twin homes, four lots for future four-unit townhouses, two lots to be developed with multi-family housing, one outlot to be dedicated for a public park, and two outlots to be dedicated to the public for stormwater management on land located at 754-904 Felland Road (Simply Homes, LLC). [ID 54395; LNDSP-2019-00001]

Dear Mr. Prieve;

At its March 5, 2019 meeting, the Common Council **approved** the final plat of "Jannah Village" subject to the conditions of approval in the following sections, which shall 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 twenty-nine (29) items:**

1. The City sanitary sewer to serve this development is located on Commercial Avenue (CTH T). The developer will be required to build sewer on Felland Road south to the City sewer located on the south side of Commercial Avenue (CTH T).
2. Development of this site will require additional stormwater management beyond those required in MGO Chapter 37. Specifically, the drainage system along CTH T will need to be reviewed and the maximum discharge rate from this development will only be allowed to match the capacity of that system.
3. There are wetland indicators on Felland Road adjacent to the plat. A wetland delineation will be required.
4. The parcels dedicated for stormwater management will need to be reviewed closer in conjunction with the stormwater management plan for the plat to determine if the dedication is acceptable. Lot reconfiguration may be required based on the approved stormwater management plan. The stormwater management plan will need to be reviewed and approved by City Engineering and CARPC prior to final plat recording.

5. Madison Metropolitan Sewerage District (MMSD) annexation fees may be due as part of the final platting for this development. If this plat is not within the MMSD service area, an annexation request will be necessary.
6. The stormwater management plan is required to demonstrate how to safely pass the 100-year storm event in public right of way and easements, and safely pass the 500-year storm event without damage to any buildings or structures.
7. The applicant will be required to record a deed restriction against lots that are identified to have critical elevations. The deed restriction will restrict the minimum building opening elevation to help mitigate against potential flooding.
8. Boundary markers will be installed on all public stormwater management properties to clearly define the property line between public and private property. The applicant will be responsible for the installation of the boundary markers.
9. Provide an easement, dedicated to the public for storm sewer and drainage purposes, on Lot 1 to serve the proposed enclosed depression. The easement shall be designed to be able to safely convey the 100-year event within the easement boundary. The size of the easement shall be adjusted accordingly. Since Lot 1 is proposed to be a multi-family site, the easement location should also consider access and the City's ability to complete work within the easement and any necessary access through the site to get to the sewer location.
10. The developer is required to construct any necessary storm sewer on Felland Road or outside the plat limits to accommodate the development. This can include storm sewer main, ditching and culverts, etc.
11. This development drains into a swale/draw over which the City of Madison has no development or drainage rights. The applicant shall be required to match the 10-year volumetric discharge from the site from post- to pre-development levels or shall obtain storm easements on the draw all the way to the culvert under Interstate 94.
12. 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 approximately 4-6 weeks, minimum.
13. This development is subject to impact fees for the Northeast Neighborhood Sanitary Sewer Improvement Impact Fee District (\$176.42/1,000 sq. ft., 2019 rate). All impact fees are due and payable at the time building permits are issued. The following note shall put on the face of the plat: "Lots/ buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued."
14. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.

15. All outstanding Madison Metropolitan Sewerage District (MMSD) and 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. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
16. 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 nine (9) feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
17. 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 at 273-5612 of the WDNR to discuss this requirement.
18. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/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).
19. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including: a) SLAMM .DAT files; b) RECARGA files; c) TR-55/HYDROCAD/Etc., and; d) Sediment loading calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.
20. 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 predevelopment rates; reduce TSS by 80% (control the 5- micron particle) off of newly developed areas compared to no controls; and, provide infiltration in accordance with MGO Chapter 37.
21. Prior to the issuance of building permits, the Developer shall submit a master stormwater drainage plan to the City Engineering Division for review and approval which shows lot corner elevations to the nearest 0.25-foot. For purposes of the plan, it shall be assumed that grading shall be done on a straight-line grade between points unless other information is provided. The proposed slope between points shall always be greater than or equal to .0075 ft/ft. If a break in grade is required between lot corners a shot shall be taken at that break in grade to provide the Engineer with enough information to interpret the plan. The Developer shall also show proposed drainage arrows on the plan to indicate the proposed direction of drainage. (MGO 16.23(9)(D)) The master stormwater drainage plan shall be submitted to City Engineering in digital format with elevations/grades/contours shown on the recorded plat map of the development. The digital record shall be provided using the state plane

coordinate system – NAD 27. NOTE: It is required that this plan shall be stamped by and Registered Land Surveyor.

The following note shall accompany the master stormwater drainage plan: “For purposes of this plan, it is assumed that grading shall be a straight-line grade between points unless otherwise indicated. All slopes shall be 0.75% or steeper. Grade breaks between lot corners are shown by elevation or through the use of drainage arrows.” No building permits shall be issued prior to the City Engineer’s approval of this plan.

22. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR in order to comply with TMDL limits.
23. The developer shall construct Madison Standard street, bike path and sidewalk improvements for all streets within the plat.
24. The developer shall make improvements to Felland Road to facilitate ingress and egress to the plat as required by City Engineer.
25. The developer shall note the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat.
26. The developer shall confirm that adequate sight distance exists 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.
27. The developer shall be responsible for four (4) feet of pavement, terrace, curb, gutter and sidewalk on Felland Road.
28. The developer shall construct an east-west 10-foot wide multi-use path across Lots 5 and 6 and Outlot 3 as required by City Engineer.
29. The developer shall construct four (4) feet of pavement, terrace, curb, gutter and sidewalk along Bridle Way and Walking Way along Lots 39-41.

**Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have any questions regarding the following sixteen (16) items:**

30. Portions of Felland Road within the exterior plat boundary are outside of the City of Madison Corporate Boundary. The applicant shall petition the City of Madison to attach all lands within the plat boundary that currently are not within the City of Madison and the 40-foot width of Felland Road adjacent to Lot 1 and Outlot 1 of the proposed plat. Coordinate with Planning to review the petition prior to filing with the City Clerk.
31. The plat does not provide on its face private easements or outlots to accommodate the now United States Postal Service (USPS)-required centralized delivery of mail using Cluster Box Units (CBU). The

applicant shall coordinate with the USPS and City Engineering and Traffic Engineering Staff on the required locations for the CBUs to serve this subdivision. City of Madison Engineering acknowledges that development phasing would make it difficult to determine the final locations prior to recording the final plat. This will require the final placement of the CBUs to be determined and all documents recorded to allow placement of the CBUs (after City review and approval) prior to construction of each phase. This shall be a condition of the Development Agreements for all phases for this plat. CBUs serving this plat will not be permitted within any publicly owned or dedicated lands.

32. Conveyances have been recorded subsequent to the title reports that have been provided. Provide an updated title report on all lands within this plat.
33. It is anticipated that the offsite sanitary sewer required to serve this plat can be constructed within the existing right of way of Felland Road to CTH T/Commercial Avenue. If there ultimately is a need for an offsite easement for any required offsite public improvements serving this development, the developer shall acquire the right of way and/or easements as required by the City at the developer's expense.
34. Provide the required revised preliminary plat showing the Madison Corporate boundary as required by ordinance.
35. The west boundary of Outlot 1 would have a bend near the southerly end as the westerly 250 feet is excepted from the existing parcel. The annexation of these lands recognized the bend as per Document No. 4248475 as well. The boundary shall be revised accordingly.
36. The agreement as to Restrictions per Document No. 1082511 appear to be for the plat of Bridle Downs, but as described, encumber the lands within this proposed plat. The applicant shall address this title issue and include it in the notes on the final plat if it is determined to encumber the lands in this plat at the time of final plat recording.
37. The exhibits provided for the partial release of the existing Utility Easement bisecting Lot 1 have been provided. Applicant shall provide the required administrative fee for the City of Madison Release and also shall provide recorded releases from Utility Companies that serve these lands prior to the City of Madison releasing its rights.
38. A labels and title for the "Public Bike Path Easement" shall be changed to "Public Sidewalk and Bike Path Easement."
39. All of the Vehicular Access Restrictions shall include the 25-foot radius returns at the intersections with Felland Road.
40. The Public Utility and Public Sidewalk and Bike Path Easement areas shall be swapped along Lots 5 and 6. The sidewalk easement needs to be adjacent to the public right of way.
41. Correctly show the limits and label the vacated Public Walk per Document No. 3068169 correctly as an adjoiner to the plat.
42. Add a City of Madison Plan Commission Certificate to the plat

43. 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 Division (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.

44. 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. 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.

45. The 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 CSM 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 this new land record.

**Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following three (3) items:**

46. The applicant shall add a note to the plat stating no driveway shall be constructed that interferes with the orderly operation of the pedestrian walkway. This will require all pedestrian ramps to be constructed separate from driveway entrances; a curb-head of no less than six (6) inches in width shall be constructed between all pedestrian ramps and driveway entrances. This is especially important at 'T' intersections where lot and building layout become critical; to prevent interference with the pedestrian ramp, lots intersecting or adjacent 'T' intersection may require a shared driveway and access.

47. Prior to final sign-off, the applicant shall work with the Traffic Engineering Division Electrical Section to record the necessary easements for streetlights. Easements are needed between Lots 16-17, 12-13,

55-56, 41-42, 34-35, 31-32, and 27-29. Easements are needed on Lots: 1, 2, 4, 5, 6, 53, 59, 45, and Outlot 3.

48. The applicant shall execute and return a declaration of conditions and covenants for streetlights and traffic signals prior to sign off.

**Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:**

49. 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)." An upgrade to include a fire sprinkler system with a cost estimate shall be made available for all initial single- or two-family home sales.

**Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following four (4) items:**

50. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat per MGO 16.23(9)(d)(3).

51. All public water mains and water service laterals shall be installed by a standard City of Madison Subdivision Contract. The applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.

52. Any outstanding water main assessments or water main connection charges shall be paid by the developer prior to connecting to the existing water distribution system. Contact Adam Wiederhoeft of Madison Water Utility ([awiederhoeft@madisonwater.org](mailto:awiederhoeft@madisonwater.org) or 266-9121) to determine if outstanding fees exist for the subject parcels.

53. The Madison Water Utility will be required to sign off as part of the approval review associated with this Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development.

**Please contact Sarah Lerner of the Parks Division at 261-4281 if you have any questions regarding the following eleven (11) items:**

54. The location of the multi-use path on Outlot 3 shall be coordinated with the Parks Division.

55. On the final plat of Jannah Village, the developer proposes to dedicate 5.08 acres of parkland to the City, identified as Outlot 3 and located in the central eastern area of the subdivision.

56. The final plat contemplates 49 single-family lots; four lots for duplexes; four lots for four-unit buildings and two multi-family lots. Depending on the final unit counts, it is anticipated that the required park land dedication may not be fully met based on the land dedication requirements of 1,081 square feet per single family unit/duplex, 734 square feet per multi-family unit, and 1,424 square feet per large

multi-family unit, per MGO Sec. 16.23(8)(f)(4). The applicant is encouraged to work with the Parks Division to fully meet the parkland dedication requirement for this plat.

57. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), will be required for new residential development associated with this project. This development is within the East Park-Infrastructure Impact Fee district. Please reference ID# 18131 when contacting Parks Division staff about this project.
58. No underground utility easements shall be located anywhere along a proposed park perimeter, unless approved by the Parks Division.
59. The applicant shall install a fence along the boundary of lands dedicated for public park purposes at the sole expense of the applicant. The fence shall be installed on private property along the southern line of Lots 53-59 to a design that is mutually agreeable to the applicant and Parks Division. The cost of the fence shall not be eligible for Park-Infrastructure Impact Fee credits. The applicant shall execute a deed restriction that would require the fence to be perpetually maintained by the property owners for any lots that are adjacent to publicly dedicated park lands, as determined by the Parks Superintendent.
60. No farming or use of lands to be dedicated to the public for park purposes shall be allowed unless specifically approved by the Parks Superintendent and permitted under a farm lease administered through the City of Madison Office of Real Estate Services. The applicant shall prominently stake all boundaries and property irons for lands to be dedicated for park purposes.
61. The park should meet the following guidelines for park development: Areas within a park to be used for open space for active and passive recreation shall be graded at 1-2% for the area of field proposed; no side slopes within the park dedication area shall exceed 4:1; and the applicant shall provide proposed grading plans prior to approval of the area for dedicated public park lands.
62. City Forestry will evaluate the terrace for new street tree plantings upon completion of the project. If there is space for new trees, City Forestry will schedule planting and assess the cost of the initial planting to the property owner.
63. 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. The applicant shall be responsible for all recording fees.
64. The following note should be included on the subdivision: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."

**Please contact my office at 261-9632 if you have questions about the following five (5) items:**

65. A note restricting the density of Lot 2 to 16 units an acre consistent with the density recommendations for development in Housing Mix 2 in the Northeast Neighborhoods Development Plan shall be included on the final plat.



66. That prior to recording of the final plat, the applicant work with City Engineering and Planning staff to explore “distributed infiltration” practices as part of the means to meet the infiltration requirements identified under Chapter 37, MGO, the Northeast Neighborhood Development Plan, and those recommended in the 2010 CARPC CUSA amendment approval resolution. These methods could include but not be limited to: rain gardens installed to serve a “block of lots”, pervious pavement, depressed terraces, rain barrels and/or other methods. These “distributed” practices would be used in coordination with regional, plat-level practices.
67. That prior to final approval and recording of the final plat, the applicant shall work with the Planning Division and Capital Area Regional Planning Commission (CARPC) to revise the environmental corridor map to reflect the approved subdivision, including modifications to the map to reflect disposition of the public park and stormwater management tract shown on the neighborhood development plan.
68. An Environmental Site Assessment (ESA) is required because of the public dedications proposed with this plat. Please provide the ESA to Brynn Bemis in City Engineering for review ([bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)) if one has not been previously submitted.
69. Note: Approval and recording of the final plat by the Plan Commission and Common Council does not constitute approval of future development on Lots 1-10. Prior to the issuance of building permits for each of those lots, the applicant or successor shall obtain conditional use approval from the Plan Commission pursuant to the processes in Section 28.183 of the Zoning Code. Development of Lots 1-10 shall comply with the applicable bulk and design requirements of the Zoning Code, including the general provisions for residential districts in Section 28.031 and the building form standards in Section 28.172.

**Please contact Lance Vest of the Office of Real Estate Services at 245-5794 if you have any questions regarding the following six (6) items:**

70. Prior to approval sign-off, the Owner’s Certificate on the PP 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.
71. 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. If mortgages of record are paid off prior to plat approval, a copy of the recorded satisfaction for said mortgage shall be provided prior to sign-off.
72. A Consent of Lessee certificate shall be included on the plat for any tenancy in excess of one year, recorded or unrecorded, and executed by said tenant prior to agency sign-off.
73. 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. As of February 20, 2019, the 2018 real estate taxes are paid for the subject property.

74. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish to Lance Vest in the City's Office of Real Estate Services ([lvest@cityofmadison.com](mailto:lvest@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 (October 22, 2018) 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.
75. The following revisions shall be made to the final plat prior to final approval and recording:
- a.) Accurately reflect the contents of the title report in the proposed plat. In particular, the restrictive covenants described in Document No. 1082511.
  - b.) Depict, name, and identify by document number on the proposed plat all existing easements cited in record title. In particular, the easement described in Document No. 1087085.
  - c.) If the lands within the Plat boundary are farmed agricultural lands, the applicant shall enter into a lease with the City for those lands to be dedicated and/or conveyed to the City through Plat recording. Please contact Heidi Fischer at 264-9297 to discuss the potential lease terms. Said leases are authorized by Resolution 13-00247, adopted April 16, 2013.

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

Prior to Engineering final sign-off by main office for plats, the final Plat shall be submitted to Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the FINAL plat in PDF form is preferred. Please transmit to [jqumme@cityofmadison.com](mailto:jrqumme@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. 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  
Sean Malloy, Traffic Engineering Division  
Bill Sullivan, Madison Fire Department  
Adam Wiederhoeft, Madison Water Utility  
Sarah Lerner & Kathleen Kane, Parks Division  
Jenny Kirchgatter, Assistant Zoning Administrator  
Lance Vest, Office of Real Estate Services