



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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November 8, 2017

Brian Munson  
Vandewalle & Associates  
120 E. Lakeside Street  
Madison, Wisconsin 53715

Dan Day  
D'Onofrio Kottke & Associates  
7530 Westward Way  
Madison, Wisconsin 53717

RE: Approval of a request to rezone 645-703 South Point Road from Temporary A (Agricultural District) to TR-P (Traditional Residential–Planned District), TR-C3 (Traditional Residential–Consistent 3 District) and CC-T (Commercial Corridor–Transitional District), and; approval of the preliminary plat of *Acacia Ridge*, creating 406 single-family lots, six lots for three (3) two-family-twin dwellings, one lot for future multi-family development, one lot for future mixed-use development, one outlot for a public park, one lot for a future public school, four outlots for private open space, and outlots to be dedicated to the public for stormwater management, alleys, and sidewalks (Veridian Homes). [ID 48228 and 47857; LNDSP-2017-00002]

Gentlemen;

At its October 31, 2017 meeting, the Common Council **approved** the zoning map amendment and preliminary plat for “Acacia Ridge” subject to the conditions of approval in the following sections, which shall be addressed prior to final approval and recording of a final plat of the subdivision.

**Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following twenty-five (25) items:**

1. The developer shall be responsible for the construction of the north side of Valley View Road adjacent to the plat, including any transitions to existing pavement beyond the plat as determined by the City Engineer and City Traffic Engineer. The work in Valley View Road will include, but is not limited to, sidewalk, curb and gutter, storm sewer, and pedestrian islands to facilitate pedestrian crossings.
2. The developer shall be responsible for the improvements on South Point Road required to facilitate ingress and egress from Watts Road and Tawny Acorn Drive as required by the City Engineer and City Traffic Engineer. The City shall be responsible for a portion of the cost of South Point Road adjacent to the storm water management parcel on South Point Road in accordance with our policies. The developer shall be responsible for the construction of sidewalk, curb and gutter, and pavement on South Point Road adjacent to Lot 16 in accordance with City policy. It may be possible to have the City

build South Point Road under a public project, which assesses the developer for the developer's share of the cost of the project. The Developer shall note, however, that no funds have been budgeted for a project on South Point Road at this time.

3. Outlot 1 is platted in a way that creates excessive street frontages along South Point Road, Watts Road, and Feather Sound Drive. The Developer shall be responsible for the entire cost of constructing of Watts Road, and Feather Sound Drive.
4. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat
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 approximately 4-6 weeks, minimum.
6. This development is subject to impact fees for the Lower Badger Mill Creek Sanitary Sewer and Stormwater Management Impact Fee District. All impact fees are due and payable at the time building permits are issued. The following note shall put on the face of the plans: "Lots/ buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued."
7. 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.
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 at 273-5612 of the WDNR to discuss this requirement.
9. The applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the City Engineering Division. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number. The digital copies shall be drawn to scale and represent final construction including: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); right-of-way lines (public and private); plat name and lot lines (metes & bounds parcel lines if unplatted); platted lot numbers (noted "unplatted lands" if not platted); lot/plat property dimensions; street names; private on-site sanitary sewer utilities (including all connections to public sanitary); private on-site storm sewer utilities (including all connections to public storm). All other levels (contours, elevations, etc)

are not to be included with this file submittal. E-mail CAD file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

10. 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).
11. The following notes shall be included on the final plat:
  - a.) All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.
  - b.) The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.

NOTE: In the event of a City of Madison Plan Commission and/or Common Council approved re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.

Information to Surveyor's: In addition to notes such as this, WI State Plat Review enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail.

12. 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.

The master storm water 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 Engineering Division’s approval of this plan.”

13. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. E-mail PDF file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [tstroester@cityofmadison.com](mailto:tstroester@cityofmadison.com) (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. PDF submittals shall contain the following information: a) Building Footprints; b) Internal Walkway Areas; c) Internal Site Parking Areas; d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); e) Right-of-Way lines (public and private); f) Lot lines or parcel lines if unplatted; g) Lot numbers or the words unplatted; h) Lot/Plat dimensions; i) Street names; j) Stormwater Management Facilities; k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
14. This is a redevelopment requiring TSS (TMDL) removal and oil/grease control. 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.
15. The applicant shall demonstrate compliance with Sections 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.
16. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to: reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls; detain the 2-, 10-, and 100-year storm events, matching post development rates to predevelopment rates; provide substantial thermal control; 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 Chapter 37 of Madison General Ordinances.
17. This development is part of the Lower Badger Mill Creek Storm and Sanitary Sewer Impact Fee District. Fees are payable prior to pulling building permits for any lot in this development.

18. A Phase 1 environmental site assessment (Phase 1 ESA), compliant with ASTM E1527-13, is required for the project area. The applicant shall provide one (1) digital copy and a paper copy only if specifically requested. Staff review of this Phase 1 ESA will determine if a Phase 2 ESA is also required. Please submit report(s) to Brynn Bemis (608-267-1986, bbemis@cityofmadison.com) for review.
19. 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.
20. The developer shall construct Madison Standard street, bike path and sidewalk improvements for all streets within the plat.
21. The developer shall note the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat.
22. The developer shall confirm that adequate sight distance exists on Valley View Road and South Point 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.
23. The developer shall be responsible for construction of an east-west running 10-foot multi-use path across the plat limits. Path shall be in a 20-foot wide dedicated easement or outlot dedicated for public path purposes.
24. The developer shall note that City funds for park frontage are limited and will be determined at the sole discretion of the City.
25. The developer shall adjust Watts Road geometry to have no less than a 625-foot radius.

**Please contact Jeff Quamme of the City Engineering Division—Mapping Section at 266-4097 if you have any questions regarding the following seventeen (17) items:**

26. Additional acquisitions of easements or right of way may be required beyond the boundaries of this plat for the construction of required improvements, drainage facilities and grading needs at streets intersecting South Point Road and Valley View Road near the plat boundaries. Prior to construction of any off-site improvements or grading, the developer shall acquire the necessary easements or right of ways as required by the City, at the developer's expense. In the event that the developer is unable to obtain those rights, the City shall proceed with the acquisitions. The developer shall reimburse the City for all costs associated with the acquisition, including attorney's fees and any and all costs associated with court ordered awards. The developer shall provide a deposit at the time of contract execution to cover the estimated City staff expenses and easement cost for the acquisition. The developer shall note that separate, additional surety in an amount estimated to cover any potential court ordered awards shall be retained by the City until such time as appeal rights have expired. The additional surety shall be provided prior to the City making an offer for the easement.

27. It appears that the boundary for this plat is including an area left as a gap along the south line of Cardinal Glenn. The surveyor shall confirm if this gap continues west to South Point Road. If it does, the gap shall be corrected in title by this plat or by another separate recorded instrument prior to final plat sign off.
28. Additional right of way shall be dedicated along the east side of South Point Road and the north side of Valley View Road as required by City Engineer following a review of the geometric requirements for the two roadways.
29. The final plat contains new public (sanitary sewer, storm sewer, storm drainage, water main, bike pedestrian path) easements to be granted on the face of the final plat. Contact Engineering (Jeff Quamme - jrquamme@cityofmadison.com ) to receive the appropriate easement terms/conditions language for inclusion on the final plat.
30. Provide recorded as data adjacent to Cardinal Glenn and along the right of way of South Point Road on the final plat.
31. Where possible, the Bicycle and Pedestrian Bike Path Easements configurations shall be shown, labeled and dimensioned within the Outlots on the final plat. Additionally, the final plat shall provide the necessary Public Bike and Pedestrian path along the south side of Lot 315.
32. 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.
33. A note shall be added under all of the street names labeled and to be dedicated on the plat: "Dedicated to the Public" as required by Wis. Stats. Sec. 236.20(4)(b).
34. In accordance with plat requirements stated 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.
35. Add a note that Feather Sound Drive was renamed from Vintage Drive on July, 11 2017 by the Common Council, RES-17-00547, File ID 47317.
36. Add a label and denote the 16.5-foot strip of land conveyed for highway purposes by Document No. 820590 along the westerly side of this plat.
37. The Public Sidewalk Easements within Outlots 4 and 17 shall have the following note: "10' Wide Public Sidewalk Easement. This is a Type IV Public Sidewalk. The adjacent Lot owners shall be responsible to clear snow and ice for the portion adjacent to their Lot."
38. The private landscaping easements will need to specify rights and restrictions of all parties subject to and benefitting from the easement.

39. If the City of Madison is to enforce any building setback line, it shall be noted on the face of the plat.
40. Submit potential street names for review and approval to [Lzenchenko@cityofmadison.com](mailto:Lzenchenko@cityofmadison.com). On revised submittal: "B" street will need to be 2 separate streets. "D" and "F" street will extend to "A" street.
41. There is a small Outlot (OL 1 Cardinal Glenn) at the north end of Feather Sound Drive. Applicant should consider including this Outlot in this plat to be part of an adjacent lot and to dedicate the additional 4' of right of way to provide a 60' width for Feather Sound Drive within Cardinal Glenn.
42. Outlot 19 shall provide an easement to the Public to use the proposed pedestrian path planned within the private outlot.

**Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following three (3) items:**

43. 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).
44. 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.
45. All operating private wells shall be identified and permitted by the Water Utility and all unused private wells shall be abandoned in accordance with MGO Section 13.21.

**Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following three (3) items:**

46. 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)."
47. 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.
48. Please consider allowing the Madison Fire Department to conduct training sequences prior to demolition. Contact Division Chief Tracy Burrus of the MFD Training Division at [tburrus@cityofmadison.com](mailto:tburrus@cityofmadison.com) or (608)213- 4176 to discuss possibilities.

**Please contact Janet Schmidt of the Parks Division at 261-9688 if you have any questions regarding the following nineteen (19) items:**

49. On the preliminary plat dated October 9, 2017, the applicant proposes to dedicate approximately 10.19 acres of public park, identified as Outlot 22, which location is generally consistent with the Pioneer Neighborhood Plan.
50. The preliminary plat, as currently proposed, includes 406 single-family units, six duplex units, and 186 multi-family units with credit for one single-family unit that exists on proposed Lot 16. The parkland dedication requirement for a single-family and duplex unit is 1,081 square feet, and the dedication requirement for a multifamily lot is 734 square feet, per MGO Sec. 16.23(8)(f) and 20.08(6). The total dedication requirement as proposed is approximately 13.33 acres. As proposed, Outlot 22 is insufficient in size to fully meet the standards for dedication of useable park space.
51. Per the rezoning application, the Applicant is seeking credit for private open space for Outlots 2, 4 and 17 (approximately 1.39 acres, combined) to offset the park land dedication, if they are able to meet all the requirements of Madison General Ordinance 16.23(8)(f)(8). The additional credit for private open space will still be insufficient to meet the parkland dedication requirements for the unit counts as proposed.
52. The Parks Division will not be seeking full dedication of the park lands at this time. The applicant shall provide a formal request to the Parks Division with the preferred fee allocation for the remaining Park-Land Impact Fees.
53. 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(6)) will be required for all new residential development associated with this project.
54. 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.
55. Lands that are dedicated for park purposes to fulfill the parkland dedication shall be suitable for park development. The applicant shall provide proposed grading plans prior approval of the area of dedicated public parklands. General guidelines for park development include:
  - a.) Areas within a park to be used for open space for active and passive recreation shall be graded at 1-2% for the area where fields are proposed.
  - b.) No side slopes within the park dedication area shall exceed 4:1.
  - c.) Large or excessive retaining walls shall not be allowed on public parklands to meet the grading requirements.
  - d.) All off-site drainage that is routed through the park shall be reviewed and approved by Parks Division staff as part of the grading plan review.
56. The developer shall enter into a maintenance agreement for the perpetual maintenance of the medians and private Outlots within the plat, specifically all medians and the proposed roundabout on Watts Road and Outlots 12, 13, and 19, as referenced in the rezoning documents. The applicant shall



work with City Engineering or City Traffic Engineering on the approval of any plantings or stormwater features within the median(s) and Outlots.

57. 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 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, including proposed Lots 306-311. It is suggested that the fence also extend along Lots 312-314, which abut Lot 315, which is the proposed school site.
58. 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.
59. The applicant shall prominently stake all boundaries and property irons for lands to be dedicated for park purposes.
60. 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.
61. 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.”
62. Modify all rezoning documents to reference the park as a neighborhood park. The proposed park does not meet the requirements of the Park and Open Space Plan to be considered a community level park.
63. Modify all rezoning documents to remove the specific public park improvement graphics from the plans.
64. Modify the rezoning documents to correct the unit counts to be 406 single family homes, 6 twin homes (on 3 lots) and 186 multifamily units on 2 lots.
65. Modify the rezoning documents to correct the Private Open Space text. The private open space that can be considered for park land credit are for Outlots 2, 4 and 17.
66. Modify the rezoning documents to state Outlots 12, 13 (excluding the regional trail), Outlots 19 and the boardwalk through Outlots 1 will be maintained by the homeowners’ association.
67. The adjacent property owners abutting Outlots 4 and 17 shall be responsible for snow and ice removal.

**Please contact my office at 261-9632 if you have any questions regarding the following eight (8) items, including the condition added by the Plan Commission on October 16, 2017 (#75):**

68. The applicant shall submit a grading plan and landscaping plan (with cross-sections) with the final plat for approval by the Planning Division that provides a landscaped buffer for the southern portions of Lots 376-385. The planting area/buffer strip adjacent to Valley View Road shall be reserved for the planting of trees or shrubs by the owner; the building of buildings hereon is prohibited, and the rear 30-feet of the strip shall not be counted as any required yard. Maintenance of this strip is the responsibility of the lot owner.
69. Staff recommends that the southern 50 feet of Lots 289-296 be created as a private outlot for maintenance by the homeowners' association, possibly as an extension of adjacent Outlot 19. The final plat shall be submitted with a plan for grading, screening and landscaping (with cross-sections) that shows how the southern portion of those lots will be designed to manage the grade change between "G" Street and Watts Road. The final configuration of those lots and outlots and the plan for grading, screening and landscaping shall be approved as part of the approval of the final plat of Acacia Ridge.
70. Prior to recording of the final plat, the Planning Division shall approve the final building design standards for the proposed development to be recorded in the covenants, conditions and restrictions for the subdivision. The final TR-P master plan and subdivision restrictions shall include the massing and composition of structures, orientation of windows and entries; doors and other elements of the facade, and primary facade materials and colors as well as the process for the application of such building design standards, through an architectural review committee or similar review body. The final master plan and related restrictive covenants shall incorporate a reference to the building form standards in Sections 28.172(3)-(6) of the Zoning Code for two- and three-unit buildings, and multi-family buildings.
71. 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 to revise the environmental corridor map to reflect the approved subdivision, including modifications to the stormwater management greenways shown on the neighborhood development plan.
72. 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.
73. A note shall be included on the final plat regarding the width, extension and anticipated future volume of Watts Road and Redan Drive through the subdivision. The final wording of the note shall be approved by the Planning Division and City Engineer prior to recording, and is intended to serve as notice that those roads are a vital part of the City's street network, and will be extended off-site in the future as part of adjacent development approvals.

74. Note: The demolition or removal of the single-family residence at 645 South Point Road shall require Plan Commission approval of a demolition permit prior to the issuance of wrecking or building permits.
75. That the TR-P master plan and final plat of the Acacia Ridge subdivision include a note that any future buildings on the northern third of Lot 17 not exceed two stories in height.

**Please contact Heidi Radlinger of the Office of Real Estate Services at 266-6558 if you have any questions regarding the following twelve (12) items:**

76. 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). Certificate 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.
77. 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 plat approval sign-off. ***For agricultural lands being platted, verify if farm leases are in place.***
78. All consents and certifications for any holder of interests in the subject lands shall conform with Wis. Stats. 236.21(2) and 236.29, i.e., to include the language "...surveyed, divided, mapped and dedicated..."
79. For parcels located within the City of Madison, a Madison Common Council Certificate shall appear as follows:

Resolved that this plat known as \_\_\_\_\_ located in the City of Madison was hereby approved by Enactment Number \_\_\_\_\_, File ID Number \_\_\_\_\_, adopted on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said plat to the City of Madison for public use.

Dated this \_\_\_ day of \_\_\_\_\_, 20\_\_\_

\_\_\_\_\_  
Maribeth L. Witzel-Behl, City Clerk  
City of Madison, Dane County, Wisconsin

80. The following City of Madison Treasurer Certificate shall appear on the final plat:

I, \_\_\_\_\_, being the duly appointed, qualified and acting Treasurer of the City of Madison, Dane County, Wisconsin, do hereby certify that, in accordance with the records in my office, there are no unpaid taxes or unpaid special assessments as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_ on any of the lands included in the plat of \_\_\_\_\_.

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David Gawenda, City Treasurer  
City of Madison, Dane County, Wisconsin

81. A certificate for the Dane County Treasurer similar to the City of Madison Treasurer Certificate above shall appear on the plat.
82. A certificate for the Dane County Register of Deeds to enter time, date and recording information shall appear on the plat.
83. An Environmental Site Assessment is required because of the public dedications.
84. 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.
85. Pursuant to Madison City Ordinance 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 plat 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.
86. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish to the City's Office of Real Estate Services (ORES), as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (June 20, 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.
87. The following revisions shall be made to the final plat prior to final approval and recording:
  - a.) Accurately reflect the contents of the updated title report when the final plat is submitted.
  - b.) Accurately reflect the contents of the title report in the proposed plat.
  - c.) Depict, name, and identify by document number on the proposed plat all existing easements cited in record title.
  - d.) Create and record, or show as being dedicated in the proposed plat, easements for utility and drainage rights of way when the utility or drainage physically exists, but no document for it exists in record title.
  - e.) Initiate requests to all applicable utilities to record releases of their interests in utility easements in underlying plats or CSMs, if this proposed plat is a re-division of existing plats or CSMs with utility easements that will no longer be applicable; and, prior to requesting sign-off, place a note in the proposed plat citing the recording data for the City's recorded release of same.

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

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

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