



Department of Planning & Community & Economic Development

Planning Division

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May 10, 2016

Michelle Burse
Burse Engineering, Inc.
2801 International Lane, Suite 101
Madison, WI 53704

RE: Approval of a Final Plat to create five single-family lots along S. Butler Street and one, larger lot intended for a mixed-use development along S. Park Street.

Dear Ms. Burse,

At its May 3, 2016 meeting, the Common Council **conditionally approved** the final plat of "8Twenty Park" subject to the following conditions of approval to be addressed through the final approval and recording of the subdivision:

Please contact Timothy Troester of the City Engineering Division at 261-1995 if you have questions regarding the following eleven (11) items:

1. Public Sanitary Sewer exists near the property line along both Haywood Drive and Park Street. If the redevelopment requires deep excavation at the lot line, the Developer shall be required to implement measures to secure the adjacent sewer mains.
2. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering sign-off (Section 16.23(9)(d)(4), MGO).
3. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013, new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm> (Ch. 35.02(14), MGO).
4. 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. Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum (Section 16.23(9)(c), MGO).

5. A minimum of two (2) working days prior to requesting City Engineering sign-off on the plat, the Applicant shall contact either Tim Troester at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley at 608 -261-9127 (bstanley@cityofmadison.com) 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) (POLICY).
6. The following note shall be added to the certified survey map: "*All lots created by this certified survey map are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to stormwater management at the time they develop.*"
7. This approval does not include the approval of the changes to roadways, sidewalks or utilities. The Applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right-of-way, including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer (Section 16.23(9)(d)(6), MGO).
8. The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right-of-way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development (POLICY).
9. The Applicant shall replace all sidewalk and curb and gutter which abuts the property that is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction (POLICY).
10. All work in the public right-of-way shall be performed by a City licensed contractor (sections 16.23(9)(c)(5) and 23.01, MGO).
11. The Applicant shall install public sidewalk along Delaplaine Court.

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following fifteen (15) items:

1. The Applicant shall coordinate with Madison Gas and Electric to release the underground electric easement per Doc. 3994744 that lies within the six-foot strip of land to be dedicated adjacent to and for Delaplaine Court right- of-way. If accomplished prior to final sign-off, the references to the easement shall be removed from the plat.
2. 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.

3. The plat requires a new Public sidewalk easement to be granted on the face of the land division. Contact Jeff Quamme, City Engineering (jrquamme@cityofmadison.com) to receive the appropriate easement terms/conditions language for inclusion on this Plat.
4. 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.
5. The Applicant shall submit to Jeff Quamme, prior to 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 WISDO 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:
 - a. Right-of-Way lines (public and private)
 - b. Lot lines
 - c. Lot numbers
 - d. Lot/Plat dimensions
 - e. Street names
 - f. 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).

NOTE: This Transmittal is a separate requirement from the required 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.

6. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final plat must 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 or CSM in PDF form is preferred. Transmit to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com).
7. This pending final 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 (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
8. Label all buildings to be demolished and moved on the plat.

9. The following notes shall be included on the final plat (sections 16.23(9)(d)(2)(a) and (b), MGO):
 - 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, without the approval of the City Engineer at the time of site plan review. Fences may be placed in the easement only if they do not impede the anticipated flow of water. NOTE: IN THE EVENT OF A CITY OF MADISON PLAN COMMISSION AND/OR COMMON COUNCIL APPROVED REDIVISION 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.*
 - 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. Information to Surveyor's: In addition to notes such as this, WI State Plat Review now 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.*
10. Provide recorded as distance of 204.1 along the southwest side of the plat. Provide recorded as bearing and distance along the southeast side of the plat. Provide a recorded as bearing of N 30 degrees 37' W along the northeast side of the plat.
11. Identify and label the coordinates (recorded coordinates if different from record) for the true corner position of the West Quarter corner of Section 26-07-09.
12. All lands shall be vested in 8TWENTY PARK LLC prior to final sign-off to be consistent with the Owner's Certificate provided on the plat. Also, an updated title report will be required prior to final sign-off.
13. The Encroachment Agreement per Doc. No. 2450644, upon common ownership of all lands within this plat, will be terminated by merger of title. Applicant shall remove the note on the plat referencing this agreement upon all title within the plat being vested in 8TWENTY PARK LLC.
14. The Applicant should consider removing the current references to Deed Document Numbers under the DESCRIPTIONS FURNISHED on sheet 2. Most of these document numbers will not be the most recent vesting deeds just prior to the recording of the plat. Also the descriptions of lots 6 and 8 included in this plat are missing from the notes.

15. Add Delaplaine Court and S. Park Street to the areas to be dedicated for roadway purposes. Also provide a thicker line along all new dedicated right-of-ways.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following two (2) items:

1. All operating private wells shall be identified and permitted by the Water Utility in accordance with Section 13.21, MGO.
2. All unused private wells shall be abandoned in accordance with Section 13.21, MGO.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator at 266-4429 if you have any questions regarding the following two (2) items:

1. Submit complete site plans for the five (5) proposed single-family lots showing compliance with the requirements of the TR-C3 zoning district. Site plans shall be submitted for the two (2) existing residences that will remain on Lots 1 and 2 and for the placement of the three (3) houses to be relocated to Lots 3, 4, and 5.
2. The Zoning Board of Appeals has approved a side yard variance for the existing residence at 831 S Brooks St (Lot 2).

Please contact Janet Schmidt of the Parks Division at 261-9688 if you have any questions regarding the following three (3) items:

1. Park impact fees (comprised of the Park Development Impact Fee per Section 20.08(2), MGO, and the Parkland Impact Fee in-lieu of land dedication per sections 16.23(8)(f) and 20.08(6), MGO) will be required for all new residential development. The developer must select a method for payment of park fees before sign-off of the rezoning request. This development is within the Olin Turville Impact fee district (SI28). Please reference ID# 15159 when contacting Parks about this project.
2. The Developer shall put the following note on the face of the subdivision plat/CSM or development plans:

LOTS/BUILDINGS WITHIN THIS SUBDIVISION/DEVELOPMENT ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME OF BUILDING PERMIT(S) ARE ISSUED.

3. The Parks Division will be required to sign-off on the final plat prior to the issuance of building permits for the development.

Please contact Jenny Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following fourteen (14) items:

1. Prior to approval sign-off, the Owner's Certificate(s) on the final plat shall be executed by all parties having an interest in the property, pursuant to Wis. Stats. 236.21(2)(a). Corporate signatories shall provide documentation that proves legal authority to sign the Owner's Certificate.
2. If ownership changes are anticipated prior to plat approval sign-off, these changes shall be evident

when the title report update is prepared. Owner's Certificates shall be consistent with the ownership reported in the title report update.

3. The executed original hard stock recordable plat shall be presented at the time of sign-off.
4. 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.
5. 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.
6. If any new mortgages are secured for the lands within the plat boundary prior to plat approval sign-off, they shall be evident when the title report update is prepared.
7. A Consent of Lessee Certificate shall be executed for any tenant interest, recorded or unrecorded, in excess of one year.
8. Revise the City of Madison Treasurer Certificate to include the name of the Treasurer, David Gawenda.
9. Revise the County Treasurer's Certificate to include the name of the Treasurer, David Gawenda.
10. An Environmental Site Assessment is required for the areas being dedicated to the public.
11. The lands within the plat boundary are partially located within TID 42, a Tax Incremental Financing District. Discussions with Joe Gromacki, the City of Madison's tax increment financing coordinator, may be necessary before moving forward with a Final Plat if a TIF application is anticipated. Mr. Gromacki can be reached at 608-267-8724 or jgromacki@cityofmadison.com.
12. As of April 11, 2016, some of the tax parcels within the plat boundary have real estate taxes owed prior to plat approval sign-off. Pursuant to Wis. Stats. 236.21(3) and Section 16.23(5)(g)(1), MGO, 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. Receipts are to be provided prior to plat approval sign-off. Checks are made payable to:

City of Madison Treasurer
210 Martin Luther King, Jr. Blvd.
Madison, WI 53701
13. As of April 11, 2016, there are no special assessments owed for the parcels within the plat boundary. If special assessments are levied against the subject property prior to plat approval sign-off, they shall be paid in full pursuant to Section 16.23(5)(e)(1), MGO, and Wis. Stats. 236.21(3).
14. Pursuant to Section 16.23(5)(g)(4), MGO, 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 (2-29-16) 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.

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

Please note that 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 you have any questions or if you may be of any further assistance, please do not hesitate to contact my office at 267-8733.

Sincerely,

A handwritten signature in black ink, appearing to be 'J. Vaughn', with a long, sweeping horizontal line extending to the right.

Jessica Vaughn, AICP
Planner

cc: Timothy Troester, City Engineering Division
Jeff Quamme, City Engineering Division—Mapping Section
Dennis Cawley, Madison Water Utility
Janet Schmidt, Parks Division
Jenny Frese, Office of Real Estate Services