



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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September 27, 2018

Mark Pynnonen
Birrenkott Surveying
1677 N. Bristol Street
Sun Prairie, Wisconsin 53590

RE: Approval of the **revised preliminary plat** of *Madison Yards at Hill Farms*, creating five lots for the approved Madison Yards at Hill Farms mixed-use planned development, one lot for the new 600,000 square-foot Hill Farms State Office Building and detached parking structure, and one lot for common greenspace and private streets to serve the subdivision of the overall 21-acre State of Wisconsin-owned property at 4802 Sheboygan Avenue (State of Wisconsin). [ID 52754; LNDSP-2018-00010]

Dear Mr. Pynnonen;

At its September 25, 2018 meeting, the Common Council **approved** the **revised preliminary plat** of "Madison Yards at Hill Farms" subject to the conditions of approval in the following sections, which shall be addressed prior to final approval and recording of the related Certified Survey Map and final plat of the subdivision.

Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following seventeen (17) items:

1. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
2. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
3. 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 developers agreement generally takes approximately 4-6 weeks, minimum.
4. 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.

5. An erosion control plan and land disturbing activity permit shall be submitted to the City Engineering Division for review and approval prior to grading or any other construction activities. The Preconstruction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. The applicant shall demonstrate compliance with Section 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.
6. 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 of the WDNR at 273-5612 to discuss this requirement.
7. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat, 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).
8. Storm sewer within this plat is to be privately owned and maintained.
9. 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 pre-development rates for added impervious area over 20,000 square feet; reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls and compared to the existing site; 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 MGO Chapter 37.
10. The applicant shall execute a waiver of notice and hearing on the assessments for the improvements as required by the City Traffic Engineer as defined in accordance with Section 66.0703(7)(b) Wisconsin Statutes and MGO Section 4.09.
11. The approval of this development does not include the approval of the changes to public 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.

12. 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.
13. The applicant shall replace all sidewalk and curb and gutter that 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.
14. The applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
15. All work in the public right of way shall be performed by a City-licensed contractor.
16. All damage to the pavement on all public streets adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
17. The developer shall confirm that adequate sight distance exists at all new intersections. 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:

18. The applicant shall provide separate documents for review including private reciprocal easements, restrictive covenants and agreements addressing, but not limited to, pedestrian/vehicular access, parking, private utilities, common areas (including the Central Green), storm drainage and storm water management (including silva cells) that are necessary to accomplish the development as proposed. The drafts shall be provided prior to final plat sign off. They shall be recorded prior or simultaneous with Specific Implementation Plan (SIP) approval(s).
19. The internal road system is planned to be private. The applicant shall provide public easements for public pedestrian, bicycle and vehicular access and use on the face of the plat and CSM. Separate documents may be required to be drafted, reviewed and coordinated with City Engineering and Real Estate staff. All required documents shall be recorded immediately after the applicable subdivision and Certified Survey Map and shall be recorded prior to or simultaneously with applicable SIP approvals. The documents shall set forth specific restrictions, rights and responsibilities of the parties subject to or benefitting from the easements within the lots and outlots being divided.
20. There are Public Sanitary Sewer and Water Main facilities that exist and many to be constructed as part of the development. The applicant shall provide public easements for public water main and sanitary sewer throughout the proposed plat and CSM. Separate documents shall be drafted,

reviewed and coordinated with City Engineering and Real Estate staff. All required documents shall be recorded immediately after the applicable subdivision and Certified Survey Map and shall be recorded prior to or simultaneously with applicable SIP approvals. The documents shall set forth specific restrictions, rights and responsibilities of the parties subject to or benefitting from the easements within the lots and outlots being divided. Permitted private street and/or other private improvements within any easement area may be removed by the City as necessary during any required construction, maintenance or repair of the public facilities without replacement or compensation to the owner.

21. This future 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 plat 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 the new lots.
22. The northeast corner of this plat appears to be over one foot northerly of the right of way per Hilldale Hurrah and University Hill Farms Park Addition. The surveyor shall review the University Avenue right of way and provide information substantiating the location of the right of way.
23. Provide recorded as data on all courses around the exterior of the plat.
24. Show and label the MG&E Easement per Document No. 5261750.
25. 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.
26. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations.
27. 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 benefitting interest of all easements. Include any and all language required to properly and legally create any easement by the plat or CSM.
28. The final plat shall conform to all requirements of Chapter 236 Wisconsin Statutes and City of Madison Ordinances for platting prior to final sign off.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following item:

29. The applicant shall work with the Traffic Engineering Division and the Wisconsin Department of Transportation to allow future cross access if/when the property to the west redevelops.

Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following item:

30. All public water mains and water service laterals shall be installed by a standard City subdivision contract/ City- Developer agreement. The applicant shall contact the City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.

Please contact Kathleen Kane of the Parks Division at 266-9121 if you have any questions regarding the following five (5) items:

31. 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(2) will be required for all new residential development associated with this project. This development is within the West Park -Infrastructure Impact Fee district. Please reference ID# 18101 when contacting Parks Division staff about this project.
32. Pursuant to MGO Section 20.08 (2)(c)2.d., the park impact fee may be reduced for multi-family dwelling units that are limited to occupancy by persons fifty-five (55) years of age or older by appropriated recorded restriction for a period of not less than thirty (30) years.
33. Existing street trees shall be protected. Please include the following note on the site plan: "Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in Section 107.13 of the *City of Madison Standard Specifications for Public Works Construction*. Any tree removals that are required for construction after the development plan is approved will require at least a 72-hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan."
34. The contractor shall contact City Forestry Brad Hofmann bhofmann@cityofmadison.com or 266-4816 at least one week prior to planting to schedule inspecting the nursery stock and review planting specifications with the landscaper.
35. Additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. Tree planting specifications can be found in Section 209 of the *City of Madison Standard Specifications for Public Works Construction*.

Please contact my office at 261-9632 if you have any questions regarding the following two (2) items:

36. Prior to final approval of the CSM and final plat for recording, extend the future public access easements for Madison Yards Way to the far western property line to allow for the future extension

of this street west onto the Red Cross property consistent with the recommendations for circulation north of Sheboygan Avenue in the University Hill Farms Neighborhood Plan.

37. 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 and City Engineer prior to final approval of the CSM and final plat for recording.

Please contact Heidi Radlinger of the Office of Real Estate Services at 266-6558 if you have any questions regarding the following six (6) items:

38. Entity named on owner's certificate shall be consistent with the ownership interest reported in the most recent title report.
39. A certificate of consent for all mortgagees shall be included and executed prior to sign-off. If mortgages of record are paid off prior to plat or CSM approval, a copy of the recorded satisfaction for said mortgage shall be provided prior to sign-off.
40. There is a special assessment reported for the parcel within the subdivision boundary. Pursuant to MGO 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 final plat or CSM 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.
41. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger in the City's Office of Real Estate Services (hradlinger@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 (November 27, 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.
42. Note: The owner shall email the document number of the recorded final plat and CSM to Heidi Radlinger hradlinger@cityofmadison.com in the Office of Real Estate Services as soon as it is available.
43. The CSM and final plat shall show the following, as applicable:
- a.) Depict the Underground Electric Easement per Document No. 5261780.
 - b.) Remove Temporary Limited Easement from title as TLE set forth via Document No. 4827956 (pursuant to TPP 5992-08-18 4.09, Document No. 4777515) terminated December 31, 2013.

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

ID# 52754
LNDSP-2018-00010
Madison Yards at Hill Farms
Revised Preliminary Plat
September 27, 2018
Page 7

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
Kathleen Kane, Parks Division
Eric Halvorson, Traffic Engineering Division
Jenny Kirchgatter, Zoning Administrator
Bill Sullivan, Madison Fire Department
Adam Wiederhoeft, Madison Water Utility
Heidi Radlinger, Office of Real Estate Services