



Department of Planning & Community & Economic Development  
**Planning Division**

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

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October 23, 2013

Michael S. Marty  
Vierbicher Associates  
999 Fourier Drive, Suite 201  
Madison, WI 53717

RE: Approval of the Preliminary and Final Plat of "St. James Cottage Homes"

Dear Mr. Marty:

At its October 15, 2013 meeting, the Common Council **approved** your client's preliminary and final plat of the "St James Cottage Homes" subdivision subject to the following conditions of approval from reviewing agencies. Please note that the approval letter for the rezoning of 1220-1226 Mound Street has been provided to the project architect.

**Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following thirteen (13) conditions.**

1. The entity stated as owner in the Surveyor's Certificate on the final plat does not match the entity in the Owner's Certificate. Also, title work provided shows ownership of parcels within this plat to be with four different entities. Confirmation of correct ownership shall be provided prior to final sign off of the final plat.
2. Title work provided indicates M & I Marshall & Ilsley Bank as a mortgage holder as well. Confirmation of mortgages on lands included within the final plat shall be provided prior to final sign off.
3. The Preliminary Plat notes a fence and sidewalk encroaching onto proposed Lot 3 and Lot 4. Plans for development note the fence is to be removed during site demolition. An easement/agreement allowing the encroaching sidewalk from 1218 Mound Street onto proposed Lot 4 shall be recorded and noted on the final plat.
4. There are overhead utilities shown serving the existing dwellings on proposed Lots 4 – 7 from the north. Any required utility easements to serve the lots within this plat shall be coordinated by the surveyor with the utility companies serving the proposed plat. The easements shall be shown on the final plat if they are requested by the utility company(s).
5. A common access and parking agreement/easement for the common access area proposed in the rear of the lots in this plat shall be required. It would be preferred that the agreement/easement be recorded and noted on the plat prior to final plat recording. If this cannot be accomplished, the easement/agreement shall be recorded immediately after the plat is recorded. Building permit issuance for any lot within the plat shall not be granted until a copy of the recorded easement has been provided. It should be noted that this private drive access shall remain private and no public services or maintenance shall be granted in the future.

6. The bearing of the quarter line in the bearing reference for north is incorrect. It should be S 00°13'07" E.
7. Dimension the total width of St James Court to the north line of the final plat. The dimension should be 33.5 feet.
8. The north 7.5 feet of Lots 10 and 9 to the east has been quit claimed to the City as well by Doc No.'s 1002529 and 1002530. The final plat should be revised to reflect this.
9. The applicant shall dedicate access easement along alley. This will be necessary to be public easement for green street implementation later.
10. The developer shall enter into a City / Developer agreement for the installation of public improvements required to serve this plat/csm. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this plat/csm without the agreement executed by the developer. (MGO 16.23(9)c)
11. The applicant shall Dedicate a one foot wide strip of Right of Way along St. James Court, (MGO 16.23(3)(a)(2)(c) (plats) & 16.23(5)(g)1 (CSM))
12. An erosion control plan and land disturbing activity permit shall be submitted to the 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 the 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 7.5-tons per acre per year.
13. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to a) Control 80% TSS (5 micron particle) off of new paved surfaces; b) Provide infiltration in accordance with Chapter 37 of the Madison General Ordinances; c) Provide oil & grease control from the first 1/2" of runoff from parking areas; and d) 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 the Madison General Ordinances.
14. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact Janet Dailey (608-261-9688) 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). (POLICY)
15. 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 Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
16. 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 condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. 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. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. Note: Land tie to two PLS corners required.

17. The Applicant shall submit to Eric Pederson, prior to Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the final plat/CSM to the Mapping/GIS Section of the Engineering Division. The digital copies shall be submitted in both NAD27 & WIDOT County Coordinate System, Dane County Zone datums in either Auto CAD Version 2001 or older, MicroStation Version J or older or Universal DXF Formats and contain the minimum of the following, each on a separate layer name/level number:
  - 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 than the required submittals to Engineering Streets Section for design purposes.

NOTE: New electronic final plat transmittals and notification of changes which occur to the final plat during the time the Engineering Division signs off and receives the digital copies of said plat and the recording thereof, are the responsibility of the Developer/Surveyor. (POLICY)

18. In accordance with Section s.236.34(1) (c) which says a CSM shall be prepared in accordance with s.236.20(2) (c) & (f), Wisconsin Statutes, the Applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements which are being conveyed by the Plat/CSM. Identify the owner and/or benefiting interest of all easements.
19. Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), final CSM 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 CSM in PDF form is preferred. Transmit to [epederson@cityofmadison.com](mailto:epederson@cityofmadison.com)
20. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: a) building footprints, b) internal walkway areas, c) internal site parking areas, d) lot lines and right-of-way lines, e) Street names, f) Stormwater Management Facilities, and g) detail drawings associated with stormwater management facilities (including if applicable planting plans).

**Please contact Kay Rutledge, Parks Division at 266-4714, if you have questions regarding the following five (5) items:**

21. The developer shall pay approximately \$11,063.88 for park dedication and development fees for the 3 new single-family lots.
22. The developer must select a method for payment of park fees before signoff on the subdivision. This development is within the Vilas-Brittingham park impact fee district (SI27). Please reference ID# 13148 when contacting Parks.
23. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl – [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
24. Additional street trees are needed for this project. All street tree planting locations and trees species with the right of way shall be reviewed by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl – [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of tree planting shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Work Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>.
25. 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. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>.

**Please contact Jenifer Frese, Office of Real Estate Services at 267-8719, if you have questions regarding the following nine (9) items:**

26. The proposed PP/FP is recommended for approval subject to the following conditions:

Parcel Address	Tax Parcel No.
1236 Mound Street	251-0709-224-1901-9
1234 Mound Street	251-0709-224-1902-7
1226 Mound Street	251-0709-224-1903-5
1220 Mound Street	251-0709-224-1904-3

27. **OWNER’S CERTIFICATION:** Prior to approval sign-off, the Owner’s Certificate’s on the FP shall be executed by all parties having an interest in the property, pursuant to Madison City Ordinance Section 16.23(5)(g)4 and Wis. Stats. 236.21(2)(a). Signatories shall provide documentation that proves legal authority to sign the Owner’s Certificate. The title report shows the following parties have an ownership interest of record in the lands to be platted and shall be signatories on the Owner’s Certificate:

- 1236 Mound Street, LLC
- 400 Mifflin, LLC
- 1226 Mound Street, LLC
- 1200 Mound Street, LLC

28. **MORTGAGEE/VENDOR CERTIFICATION:** A certificate of consent by the mortgagee(s)/vendor(s) shall be included following the Owner’s Certificate for each of the mortgagees/vendors listed below:

- AnchorBank, fsb
- M&I Marshall & Ilsley Bank

29. **CERTIFICATE AND CONSENT REQUIREMENTS:** Please include a space for the Document Number in the Register of Deeds certificate.

30. **REAL ESTATE TAXES & SPECIAL ASSESSMENTS:**

Parcel Address	Tax Parcel No.	Specials	
		Sewer Lateral	Street Imprvmt.
1236 Mound Street	251-0709-224-1901-9	\$1,249.45	\$1,062.00
1234 Mound Street	251-0709-224-1902-7	\$1,249.45	\$2,272.50
1226 Mound Street	251-0709-224-1903-5	\$1,249.45	\$2,321.00
1220 Mound Street	251-0709-224-1904-3	\$1,249.45	\$1,314.00
Subtotal		\$4,997.80	\$6,969.50
<b>Total</b>			<b>\$11,967.30</b>

As of August 29, 2013, the 2012 real estate taxes are paid for the subject property, but there are special assessments owed. Prior FP approval sign-off, the owner shall pay all special assessments levied against the subject property, including accrued interest, if any. Please provide paid receipts to the City’s Office of Real Estate Services prior to approval sign-off; pursuant to Madison City Ordinance Section 16.23(5)(e)1 and Wis. Stats. 236.21(3). Payments can be made to:

City of Madison Treasurer  
 210 Martin Luther King, Jr. Blvd.  
 Madison, WI 53701

32. **STORM WATER FEES:** Prior to Plat approval sign-off, please verify Janet Dailey at City Engineering (261-9688) or Sharon Ponders at the Water Utility (266-4641) that storm water management fees are paid in full.

33. **TITLE REPORT UPDATE:** 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 (04/02/13) 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.

34. **PLAT RECORDING INFO:** The owner shall email the document number of the recorded plat Jenny at the Office of Real Estate Services as soon as it is available. [jfrese@cityofmadison.com](mailto:jfrese@cityofmadison.com)

**35. PLAT REVISION REQUIREMENTS:**

- a. Depict and dimension all existing improvements (buildings, drives, parking lots, etc.), encroachments, wells and septic systems associated with the lands described for the proposed plat. (Well abandonment: ref. NR 141).
- b. Please depict the underlying lot numbers in gray scale.
- c. Place a Note on the Plat that the lands are subject to all leases, both recorded and unrecorded.
- d. Carry over all applicable Notes from the Preliminary Plat.
- e. 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.
- f. Record satisfactions or releases for all mortgages, liens, judgments, or other instruments that encumber the title of the subject lands, but where the purpose for such instrument has been satisfied, fulfilled, or resolved.

**Please contact my office at 267-1150 if you have questions regarding the following six (6) items. These items were recommended by the Plan Commission and approved by the Common Council.**

36. That the property owners be responsible for the exterior maintenance of the lots;
37. That the applicant work with City staff on the design and construction of sidewalk along St. James Court adjacent to the development;
38. That the zoning text be revised to not allow parking for this development to be leased to non-residents;
39. A condition of approval for this project shall be that a maximum of 9 residential parking permits shall be issued for this development. This restriction shall be noted in the final zoning text for the Planned Development and in the residential dwelling unit leases, with a copy of the residential lease to be provided with the final plans for the project;
40. That the zoning text be revised to state that Lots 4-7 shall retain their nonconforming status for occupancy (family definition);
41. That the applicant work with City staff to provide 2-3 additional parking stalls with moped flexibility.

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

**The corresponding zoning map amendment for 1220-1226 Mound Street shall be approved and recorded prior to the final approval and recording of the final plat.**

St. James Cottage Homes Preliminary and Final Plat

October 23, 2013

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. **The approval of this plat shall be null and void if not recorded in twelve (12) months from the date of this letter.** If I may be of any further assistance, do not hesitate to contact me at 267-1150.

Sincerely,

Kevin Firchow, AICP  
Planner

cc: Eric Halvorson, Traffic Engineering Division  
Dennis Cawley, Madison Water Utility  
Janet Dailey, City Engineering  
Bill Sullivan, Madison Fire Department  
Pat Anderson, Assistant Zoning Administrator  
Jenny Frese, Office of Real Estate Services  
Dan Everson, Dane County Planning & Development