



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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February 11, 2019

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

RE: Approval of the preliminary plat and final of *1000 Oaks Replat No. 2*, replatting 39 single-family lots [801-939 Sugar Maple Lane, generally] and one public outlot into 37 lots, two outlots for public stormwater management, and four private outlots for future development to accommodate widening of Sugar Maple Lane and to serve future neighborhood development (VH1000 Oaks, LLC, dba Veridian Homes). [ID 53868; LNDSP-2018-00014]

Gentlemen;

At its February 5, 2019 meeting, the Common Council **approved** the preliminary plat and final plat of "1000 Oaks Replat No. 2" subject to the conditions of approval in the following sections, which shall be addressed prior to final approval and recording of the final plat.

**Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following twenty-eight (28) items:**

1. Storm and sanitary impact fees are required prior to building permit issuance for all lots in this plat.
2. The stormwater management plan shall demonstrate passing the 100-year storm event without having public water leave the city drainage system or right of way. The stormwater management plan shall also demonstrate safe passage of the 500-year event without damage to building structures.
3. Install boundary markers along the outlots dedicated to the public for stormwater purposes.
4. A deed restriction will be required for any lots with minimum elevation requirements as part of the stormwater management plan approval.
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. Two weeks prior to recording the final plat, a soil boring report prepared by a Professional Engineer, shall be submitted to the City Engineering Division indicating a ground water table and rock conditions

in the area. If the report indicates a ground water table or rock condition less than nine (9) feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.

7. 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."
8. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
9. 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.
10. Each lot shall have a separate sanitary sewer lateral.
11. The following notes shall be included on the final plat per MGO Section 16.23(9)(d)2:
  - 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 five (5) 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 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.
  - 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, Wisconsin 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.

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. (MGO 16.23(9)(D)) The master stormwater drainage plan shall be submitted to City Engineering in digital format with elevations/grades/contours shown on the recorded plat map of the development. The digital record shall be provided using the state plane coordinate system – NAD 27. NOTE: It is required that this plan shall be stamped by and Registered Land Surveyor.

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

13. 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](mailto:ttroester@cityofmadison.com)) or Brenda Stanley at 261-9127 ([bstanley@cityofmadison.com](mailto: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).
14. 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.
15. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. The 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; and k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
16. 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.

17. 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.
18. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2-, 10-, and 100-year storm events, matching post development rates to predevelopment rates.
19. 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.
20. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to provide infiltration in accordance with Chapter 37 of MGO.
21. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this site shall provide substantial thermal control.
22. 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.
23. The applicant shall verify that zoning side yard setbacks coincide with non-exclusive drainage easement widths.
24. The developer shall construct Madison Standard street and sidewalk improvements for all streets within the plat.
25. The developer shall make improvements to Valley View Road to facilitate ingress and egress to the plat as required by the City Engineer.
26. The applicant will be required to construct sidewalk, curb and gutter and four (4) feet of pavement and storm sewer along Valley View Road in accordance with the plans approved by the City Engineer.
27. The developer shall note the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat.
28. The developer shall confirm that adequate sight distance exists where public streets intersect. If adequate sight distance does not exist, the developer shall change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make other mitigating improvements as required by the City.

**Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have any questions regarding the following seven (7) items:**

29. This replat requires the vacation and discontinuance of portions of platted public right- of-ways of Sweet Willow Pass, Sugar Maple Lane, Sunny Spring Drive and Tawny Acorn drive. The applicant's consultant shall provide the required map exhibits and descriptions of those areas. The public ways shall be discontinued by separate resolution by the City of Madison under s.66.1003(4) of the Wisconsin Statutes. The discontinuances shall be introduced to the Common Council upon the receipt and approval of the required map exhibits and legal descriptions. The final recording and validation of the vacation shall be conditioned upon the conditions of approval for the development being met to the satisfaction of the City of Madison Engineer.
30. The public easements and utility easements that are required to be released shall be released by separate document prepared by City Office of Real Estate Services. The applicant shall prepare any necessary legal descriptions and scale map exhibits for the portions to be released and provide to Engineering Land Records Coordinator Jeff Quamme for review. Upon approval of the exhibits, Engineering will create the necessary Office of Real Estate Services (ORES) Project. ORES staff will then administer the release document(s) and record with the Dane County Register of Deeds. The applicant is responsible to obtain releases of the easements by the other Utility companies serving the area. The releases shall be required to be completed prior to final sign off and recording of the final plat. Acknowledgement of the release and document number shall be noted on the face of the plat.
31. Outlot 11 of the plat of First Addition to 1000 Oaks was dedicated to the public for Stormwater Management Purposes. This outlot is proposed to be reconfigured by the proposed plat. The City of Madison accepted dedication for this special purpose. To accomplish releasing the restriction under s. 66.1025(1) of Wisconsin Statutes, the City of Madison, after resolution by the Common Council, shall grant the land back the dedicator or the heirs of the dedicator to permit the replatting of the outlot with the replat. Coordinate this with Jeff Quamme of Engineering-Mapping, 266- 4097 or jrquamme@cityofmadison.com. The Outlot is not a road, street, slip, pier, lane or paved alley and therefore cannot be vacated under s. 66.1003 of Wisconsin Statutes.
32. The distance for the north line of Outlot 12 shall be revised to be 102.95 feet. Also, the Landscaping Easement shall be acknowledged to be existing per the plat of First Addition to 1000 Oaks.
33. 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.
34. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe PDF format. The digital CADD file shall be submitted

in the WisDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics)

\*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any original submittal of data and prior to final sign off.

35. Prior to Engineering final sign-off by main office for plats, the final Plat shall be submitted to Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the FINAL plat in PDF form is preferred. Please transmit to jrquamme@cityofmadison.com.

**Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following two (2) items:**

36. Prior to final sign-off, the applicant shall work with the Traffic Engineering Division Electrical Section to record the necessary easements for streetlights. Typically, Traffic Engineering requires a 12-foot easement between lots and 6-foot easements on corner lots where streetlights are needed. Easements are needed on lots: Outlot 14, Lot 291 and 317 Easements are needed between lots: Outlot 15-Lot 312, Lots 320-321, Lots 324-325.
37. The applicant shall execute and return a declaration of conditions and covenants (DCC) for streetlights and traffic signals prior to sign off.

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

38. 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)."

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

39. 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 Sarah Lerner of the Parks Division at 261-4281 if you have any questions regarding the following two (2) items:**

40. 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)) requirements have been met. No additional park fees are required for this replat.
41. 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.

**Please contact Lance Vest of the Office of Real Estate Services at 245-5794 if you have any questions regarding the following eight (8) items:**

42. 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). Certificates shall be prepared with the ownership interests consistent with the most recent title report. Signatories shall provide documentation that proves legal authority to sign the Owner's Certificate. The executed original hard stock recordable plat shall be presented at the time of sign-off.
43. The signature block should indicate whether the signatory is a member or manager of the LLC rather than officer. If more than one member of the LLC is required to sign, please include additional notary blocks with the names of the signatories in addition to the name of the LLC.
44. 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.
45. Prior to approval sign-off, the Owner shall pay to the City its prorated share of any revenue generated by leases affecting dedicated lands (e.g. public rights-of-way, outlots dedicated to the public, etc.) within the plat of First Addition to 1000 Oaks from the date said plat was recorded with the Dane County Register of Deeds.
46. Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), 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. Receipts are to be provided on or before sign-off and checks are payable to: City of Madison Treasurer; 210 Martin Luther King, Jr. Blvd.; Madison, WI 53701.
47. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish to Lance Vest in the City's Office of Real Estate Services ([lvest@cityofmadison.com](mailto:lvest@cityofmadison.com)), as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (October 17, 2018) and the date when sign-off of the final plat 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.

48. A real estate project is required for release of easement(s) affecting Outlot 11.

49. The following revisions shall be made to the final plat prior to final approval and recording:

- a.) Initiate requests to all applicable utilities to record releases of their interests in utility easements in underlying plats or CSM's, 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.
- b.) Create notes that define the purpose of and the ownership of (whether public or private) all outlots. The note for an outlot dedicated to the public shall say: "Dedicated to the public for \_\_\_\_\_ purposes." Include information for Outlot 16 in particular.
- c.) If the lands within the Plat boundary are farmed agricultural lands, the applicant shall enter into a lease with the City for those lands to be dedicated and/or conveyed to the City through Plat recording. Please contact Heidi Fischer at 264-9297 to discuss the potential lease terms. Said leases are authorized by Resolution File ID 29183, Resolution 13-00247, adopted April 16, 2013.
- d.) Include the Declaration of Conditions, Covenants and Restrictions recorded as Document No. 5231816 in Note 1(b) on Sheet 2.

**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

cc: Tim Troester, City Engineering Division  
Jeff Quamme, City Engineering Division – Mapping Section  
Sean Malloy, Traffic Engineering Division  
Bill Sullivan, Madison Fire Department  
Adam Wiederhoeft, Madison Water Utility  
Sarah Lerner, Parks Division  
Jenny Kirchgatter, Assistant Zoning Administrator  
Lance Vest, Office of Real Estate Services