



Department of Planning & Community & Economic Development

Planning Division

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April 23, 2015

Adam Helt-Baldwin
Habitat for Humanity of Dane County
1014 Fielder Lane #29
Madison, Wisconsin 53713

RE: Approval of a request to rezone 1-9 Cherbourg Court from SR-V2 (Suburban Residential–Varied 2 District) to TR-C3 (Traditional Residential–Consistent 3 District), and; and approval of a preliminary plat and final plat creating 6 single-family lots.

Dear Mr. Baldwin;

At its April 21, 2015 meeting, the Common Council **conditionally approved** your zoning map amendment request and the preliminary plat and final plat of “Delores Lillge Subdivision” subject to the following conditions of approval to be addressed prior recording of the final plat of the subdivision:

Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following sixteen (16) items:

1. Remove the 6-foot wide utility easement from the south side of the plat except for the east 6 feet. The easement was released by documents included in the title work. If an easement is needed to properly serve the lots, the plat shall grant the easement with proper notation and language.
2. Provide the conditions, restrictions and beneficiary of the Private Stormwater Management Easement areas on the plat. Conditions and restrictions may be provided in a separate document to be recorded immediately after plat recording. Any separate document shall be provided for review and comment prior to final sign off.
3. Each lot shall be required to have the following: 1) Stormwater management features controlling TSS, detention, and infiltration; 2) A lot corner and site grading plan submitted and approved by City Engineering prior to building permit issuance; and 3) A maintenance agreement recorded for the maintenance of the stormwater management features.
4. This plat will require a developer’s agreement for the sewer and water lateral installation and for the infrastructure repairs necessitated to make the improvements to allow for this to expand from 2 lots to 6 lots.
5. Provide conceptual sanitary sewer layouts to determine how the homes will be served as the sewer located on Cherbourg Court will serve proposed Lots 1-3 and the terrain drops off towards the back

of the lots. Some of the lots may need to be filled in order to serve homes the homes with gravity sewer.

6. All damage to pavement shall be restored in accordance with the City's Pavement Patching Criteria.
7. All work in the right of way shall be done by a licensed contractor.
8. 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 without the agreement executed by the developer.
9. 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 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. A minimum of 2 working days prior to requesting City Engineering signoff on the plat, the applicant shall contact Janet Schmidt (261-9688) 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).

11. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
12. 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 Janet Schmidt (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
13. Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
14. 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. Note: Land tie to two PLS corners required.
15. In accordance with Section 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. Identify the owner and/or benefiting interest of all easements.
16. The applicant shall submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the final plat 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: 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.

*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.

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

17. Each lot shall have a separate water service lateral connected to a public water main. The Water Utility will not need to sign off the final plans, but will need a copy of the approved plans.

18. All operating private wells shall be identified and permitted by the Madison Water Utility and all unused private wells shall be abandoned in accordance with MGO Sec. 13.21.

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

19. 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 Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following three (3) items:

20. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development in this subdivision. The developer must select a method for payment of park fees before signoff on the final plat. This development is within the Elver park impact fee district (SI31). Please reference ID# 15112 when contacting Parks Division staff about this project.

21. The following note should be included on the plat: "Lots/ buildings within this subdivision/ development are subject to impact fees that are due and payable at the time building permit(s) are issued."

22. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right of way. Permission for such activities must be obtained from the City Forester, 266-4816.

Please contact Heidi Radlinger of the Office of Real Estate Services at 266-6558 if you have any questions regarding the following five (5) items:

23. Prior to approval sign-off, the Owner's Certificate(s) on the PP/FP 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 on the final plat.

24. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) on the final plat.

25. Per Chapter 236.21(3) of Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes and special assessments that are accrued or delinquent for the subject properties prior to final approval of the final plat for recording.

26. Prior to final sign-off, please verify with Janet Schmidt of City Engineering (261-9688) or Sharon Pounders of the Madison Water Utility (266-4641) that stormwater management fees are paid in full.

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

- a.) Ensure the utility easement – Document No. 1596200 – is depicted accurately accounting for the release of the southerly 6 feet per Note 4 (11).
- b.) Identify all existing easements cited in record title by document number.
- c.) Correct spelling of ‘Conditions’ on Note 4 (13).

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. 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 I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Prior to City Engineering final sign-off by the main office of the plat, the final plat shall be submitted to the 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 signoff. E-mail submittal of the final plat in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.

The owner shall furnish to the Office of Real Estate Services and the survey firm preparing the plat an updated title report covering the period between the date of the initial title report and the date when final signoff is requested. The surveyor shall update the plat with the most recent information reported in the title update.

Sincerely,

Timothy M. Parks
Planner

cc: Janet Schmidt, City Engineering Division
Kay Rutledge, Parks Division
Matt Tucker, Zoning Administrator
Bill Sullivan, Madison Fire Department
Dennis Cawley, Madison Water Utility
Heidi Radlinger, Office of Real Estate Services
Dan Everson, Dane County Planning & Development