



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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****BY E-MAIL ONLY****

February 20, 2024

Brian Munson
Vandewalle & Associates
120 E Lakeside Street
Madison, Wisconsin 53715

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

RE: Approval of a request to rezone 2150 Marty Road, 7751 Mid Town Road, and 7342-7762 Raymond Road from Temporary A (Agricultural District) to [Permanent] A, CC-T (Commercial Corridor-Transitional District) and TR-P (Traditional Residential-Planned District); approving the preliminary plat of *Midpoint Meadows*, creating 148 lots for future single-family residences, 96 lots for 48 two-family dwellings-twin homes, two lots for future multi-family development, one lot for future mixed-use development, five outlots for public alleys, two outlots to be dedicated to the public for stormwater management, and five outlots for private open space and future development. [ID 81295 and 81268; LNDSP-2023-00011]

All;

At its February 13, 2024 meeting, the Common Council **approved** the rezoning and preliminary plat of *Midpoint Meadows* subject to the conditions of approval in the following sections, which shall be addressed prior to final approval and recording of a final plat of the subdivision.

Please contact Tim Troester of the City Engineering Division at (608) 267-1995 if you have questions regarding the following thirty (30) items, including the conditions corrected at the February 5 Plan Commission hearing (#6-8 of this letter):

1. A Phase 1 environmental site assessment (per ASTM E1527-13), is required for lands dedicated to the City. Provide one (1) digital copy and staff review will determine if a Phase 2 ESA is also required. Submit report(s) to Brynn Bemis ((608) 267-1986, bbemis@cityofmadison.com).
2. Off-site sanitary sewer improvements by the developer will be required as a condition for development.

3. The applicant may potentially be assessed for off-site sanitary sewer improvements built on S High Point Road and Raymond Road south of the proposed plat development.
4. The land east of Marty Road and south of Mid Town Road [proposed Outlots 11 and 12] is needed for stormwater management. The developer shall work with the Stormwater Utility on a conveyance agreement for those lands.
5. The developer shall enter into a City/Developer agreement for the required infrastructure improvements. The agreement shall be executed prior to sign-off of the final plat. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.
6. Construct Madison standard street, multi-use path, and sidewalk improvements for all streets within the plat, except Mid Town/Raymond Roads, which will be explained in other conditions.
7. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
8. Construct sidewalk, path, terrace, curb and gutter, and 10 feet of pavement on each side of Mid Town Road from S High Point Road to Marty Road. Construct sidewalk, path, terrace, curb and gutter, and 10 feet of pavement on south side of Mid Town Road from the western plat limit to S High Point Road.
9. Construct "Old Mid Town Road" (as it is named on the preliminary plat) as required by the City Engineer from S High Point Road/Raymond Road to Marty Road, including all connections to adjacent properties.
10. Construct 10-foot multi-purpose path along Old Mid Town Road alignment from S High Point Road to Marty Road.
11. Make improvements to Mid Town Road in order to facilitate ingress and egress to the development as required by City Traffic Engineer.
12. Realign the Mid Town-High Point Road intersection as shown in the plat and required by the City Engineer and City Traffic Engineer.
13. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
14. This development is subject to impact fees for the Upper Badger Mill Creek Storm Impact Fee District. All impact fees are due and payable at the time building permits are issued. Add the following note on the face of the plat: "Lots / buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued."
15. 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 ((608) 261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering Division sign-off.

16. Provide proof of septic system abandonment from Public Health—Madison and Dane County as a condition of plat approval.
17. An Erosion Control Permit is required for this project.
18. A Storm Water Management Report and Storm Water Management Permit is required for this project.
19. A Storm Water Maintenance Agreement (SWMA) is required for this project.
20. 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. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.
21. Submit a soil boring report that has been prepared by a Professional Engineer two weeks prior to recording the final plat to the City Engineering Division indicating the 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.
22. Confirm that adequate sight distance exists where streets intersect per AASHTO design standards for intersection sight distance. If adequate sight distance does not exist, change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make mitigating improvements as required by the City. Caution: The improvements indicated may require right of way outside of the plat limits.
23. The 100-year event needs to be safely passed through the plat within the right of way.
24. Provide calculations for the 500-year storm event, as identified in MGO Chapter 37, as part of the plat design and stormwater management plan. The flows from this design storm event will be routed through the development and used to determine an anticipated safe top of concrete foundation elevation for future buildings in critical areas.
25. Submit proposed lot corner grades with the stormwater management plan as these two items must be reviewed together to properly determine stormwater overflow conditions. Prior to the issuance of building permits, submit a master stormwater drainage plan with final as-built lot corner grades. These grades may be modified from the originally proposed grades provided they continue to meet

design tolerances. No building permits shall be issued prior to City Engineering's final approval of this plan.

26. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11- by 17-inch copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.

27. Demonstrate compliance with MGO Section 37.07 and 37.08 regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.

28. 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.

29. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website. The Storm Water Management Plan & Report shall include compliance with the following:

Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. 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 to City Engineering. (POLICY and MGO 37.09(2))

Detain the 2-, 5-, 10-, 100-, and 200-year storm events, matching post-development rates to pre-development rates and using the design storms identified in MGO Chapter 37.

Provide infiltration of 90% of the pre-development infiltration volume.

Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

Provide substantial thermal control to reduce runoff temperature in cold water community or trout stream watersheds.

The applicant shall demonstrate that water can leave the site and reach the public right of way without impacting structures during a 100-year event storm. This analysis shall include reviewing overflow elevations and unintended storage occurring on site when the storm system has reached capacity.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project

30. 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 (East) or ttroester@cityofmadison.com (West).

Please contact Julius Smith of the City Engineering Division–Mapping Section at (608) 264-9276 if you have any questions regarding the following twenty-eight (28) items:

31. The developer shall request the petition for the street discontinuance and vacation of Mid Town, Raymond, and Marty Roads. Provide an exhibit along with legal description and sketch of the right of way to be vacated and other required materials after first consulting with Engineering Mapping staff. Note: There are existing parcels dependent on these roads. These discontinuances will be phased as can be allowed and will not be released until full alternate rerouting can be accomplished.
32. Prior to submitting a final plat for any phase for this development, a revised preliminary plat shall be presented to the City that satisfies all of the conditions of this preliminary plat approval.
33. In accordance with Chapter 236, 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 recording data) and easements which are being conveyed by the land division. Identify the owner and/or benefiting interest of all easements. Include any and all language required to properly and legally create any easement by this land division. State the width of the 1 Rod or 16.5-foot easement to Wisconsin Telephone and state what portion will remain effecting the platted parcels. show this for both the preliminary and final plats. For the final plat, have any portion of the easement that is affect the area to be dedicated for public road released.
34. Release portions of 16.5-foot wide TDS Easement per Document No. 3924259 and 12-foot wide TDS Easement per Document No. 31955177 lying within areas being dedicated to the public for right-of-way.
35. The ultimate final cul-de-sac on Marty Road shall have a minimum radius of 72 feet with a minimum reverse curve radius of 100 feet.
36. Due to phasing there may be need for temporary turnarounds between phases. Grant turnaround easements as needed for phasing with the following language: "Temporary Limited Easement benefitting the City of Madison for temporary turnaround improvement purposes. Said Easement shall terminate upon the extension of ___Street (East, West, North, South) of this plat along with the removal of the public temporary turnaround improvements within the easement area."
37. 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.
38. As required by Ordinance, provide private Easements or private Outlots to accommodate the current USPS required centralized delivery of mail using Cluster Box Units (CBUs). Coordinate the locations of the CBUs with the USPS Development Coordinator, City Engineering and City Traffic Engineering Staff and in accordance with the Policies for Cluster Box Units as adopted by the City of Madison Board of

Public Works. CBUs serving this land division will not be permitted within any publicly owned or dedicated lands.

If the Developer is not able to determine the final locations of the CBUs prior to recording the final plat, the final placement of CBUs for each phase of development within this land division shall be determined prior to construction. The locations for each phase shall as required by Ordinance, in accordance with the Policies for Cluster Box Units as adopted by the City of Madison Board of Public Works and in compliance with United States Postal Service requirements.

The required CBU documents shall be recorded prior to the start of construction of the public improvements serving any Lot or Outlot. In the instance of land divisions that do not require the construction of public improvements or a contract with the developer, the required approved CBU documents shall be recorded simultaneously with the final approved land division. Construct the CBUs in accordance with the specifications approved by the Board of Public Works.

39. Show the officially mapped additional 27 feet along the northwesterly side of existing Raymond Road. Show the officially mapped additional 7 feet along the entire length of plat of the South side of Mid Town Road. Also show the North-South running Proposed Parkway along the easterly portion of the plat in Outlots 10-12.

Note per MGO Section 16.23 (3)(a)(2)(c)(i): “Whenever a parcel to be subdivided embraces any part of a street, highway or greenway designated in the Comprehensive Plan or any neighborhood or sub-area plan, the official map, or the Street Type Map in the current Complete Green Streets Guide or as published from time to time by the Madison Department of Transportation, such part of such proposed public way shall be platted and dedicated by the subdivider in the location and at a width indicated along with all other streets in the subdivision. When there is disagreement between an adopted plan or the Street Type Map regarding the specific requirements for a street or highway, the recommendations of the most recently adopted plan, guide, or map should apply. The location, configuration and width of a street, highway or greenway designated by the Comprehensive Plan or any neighborhood or sub-area plan or official map may be modified by a subdivision or land division, as approved by the City, under Chapter 236 of the Wisconsin Statutes and MGO Section 16.23, if the changes do not affect any land outside of the plat area.

Some of the above officially mapped street areas and additional right of way widenings conflict with the current neighborhood development plan. Work with Planning and Engineering staff prior to submittal of the final plat to show dedications required by the High Point-Raymond Neighborhood Development Plan and/or Official Map

40. The discontinuance of Raymond Road shall be timed properly and will not require any such public limited easement (PLE) for roadway purposes to the City of Madison for any of the lands currently lying within the limits of Raymond Road. Separate the notes about the vacation and the PLE and use separate leaders to avoid any confusion.
41. Obtain more information or a better copy of Document No. 544866 Easement to Wisconsin Power and Light for Poles and Wires and Show this easement on the plat.

42. A note shall be added under all of the street names labeled and to be dedicated on the plat: "Dedicated to the Public" as required by ss. 236.20(4)(b). A 'DTTP' designation is missing for Hickory Ridge Road and the to be renamed Old Mid Town Road
43. 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 in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. Visit the Dane County Surveyor's Office for current tie sheets and control data that has been provided by the City of Madison.
44. Provide a list of proposed street names to Lori Zenchenko (lzenchenko@cityofmadison.com) for review and approval.
45. Correct existing street name of 'Midtown Rd' to 'Mid Town Rd'.
46. Street B will need to be separated into two street names at the intersection of Red Granite Road.
47. Street A is an extension of Dewberry Drive; update that segment accordingly.
48. Old Midtown Road is not acceptable as a street name, provide a replacement name with the naming suggestion list.
49. Verify the centerline of Marty Road and the existing easterly right-of-way as shown. Dedicate a full width of 66 feet from the northerly portion of the westerly line of Marty Road the line running along Lot 1 of CSM 4332 and project it southerly into the cul-de-sac bulb without any breaks so the last approximately 100 feet area being dedicated is 37.78' wide before the bulbs reverse curve.
50. The Mid Town-Raymond Road connection shall be dedicated to have an overall width of 125 feet or as determined by Traffic Engineering and City Engineering. South High Point Road Shall be dedicated to have an overall width of 80 feet. All other roads shall have a minimum width of 62 feet unless specified by Traffic Engineering and City Engineering or where further dedications may be required by the Official Map.
51. Public alleys shall be platted as rights-of-way. Remove these as 'outlot' dedications. The alleys do not require names. Remove the name of Street E, as Lots 49-64 will be addressed from S High Point Road. The public alleys shall be 26 feet wide.
52. Label all of the condominiums with the underlying land divisions of record, and not just the condominium documents the lots are subject to.
53. Label all radii. Intersection radii along Mid Town Road are missing, and don't appear to be 15 feet.
54. Correct the Lot number for CSM 2921 from Lot 1 to Lot 2.
55. Label Prairie Ridge Conservation Park.

56. Per MGO Section 16.23(7)(a)(9), Location, size and invert elevation of any existing sanitary or storm sewers, culverts or drain pipes and the location and size of any existing water and gas mains on and adjacent to the preliminary plat and proposed to be used in the development. If sewers and water mains are not on or adjacent to the preliminary plat the direction and distance to and size of the nearest ones, showing invert elevations of sewers shall be indicated.
57. The PK nail found Stated as the Northeast Corner of Section 35 T7N, R8E should be noted as the Southeast Corner.
58. For those lands lying outside the initial phase of final plat that are contained within this preliminary plat, those lands shall be included and platted in Outlots to be reserved for future development. Once platted into Outlots they may be omitted from future phases, however remnants will still need to be further placed into Outlots if left over in other phases.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following thirteen (13) items:

59. The applicant shall work with the Traffic Engineering and City Engineering Divisions on finalizing the alignment of Mid Town Road/Raymond Road. Alignment alterations may result in major modifications to the plat.
60. The applicant shall work with Traffic Engineering and City Engineering Divisions on finalizing the alignment of S High Point Road. Alignment alterations may result in major modifications to the plat.
61. Red Granite Road shall be classified as Neighborhood Yield Streets as defined by the current Complete Green Streets Guide.
62. Street "A", Street "B", Street "C", Street "D", Legacy Lane, and Hickory Ridge Road shall be classified as Neighborhood Streets as defined by the current Complete Green Streets Guide.
63. If the applicant wishes to provide parking on both sides of their streets classified as Neighborhood Streets as defined by the Complete Green Streets Guide, they shall dedicate a minimum 62 feet of right of way.
64. If the applicant wishes to provide parking on both sides of Mid Town Road/Raymond Road, defined as a Boulevard by the Complete Green Streets Guide, they shall dedicate a minimum 125 feet right of way.
65. The applicant shall provide a cul-de-sac at the proposed terminus of Marty Road to be designed per MGO 16.23 (6)(a)(9)(d).
66. The applicant shall provide a cul-de-sac at the proposed terminus of Mid Town Road to be designed per MGO 16.23(6)(a)(9)(d).

67. The Traffic Engineering Division has concerns with the proposed alley access shown as Outlot 5 on Mid Town Road. If an alley is to be constructed, it shall be restricted to a one-way southbound movement with right-in only access to Mid Town Road.
68. Prior to final sign-off, the applicant shall work with the Traffic Engineering Division's 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 between lots: 111-112, 96-97, 72-73, 104-105, 116-Outlot 8, 129-130, 139-140, 164-165, 158-159, 153-152, 191-192, 188-189, 184-185, 228-229, 224-225, 232-233, 235-236, 242-243. On the Corner of lots: 8, 32, 147, 120, 148, 123, 182, 195, 222, 221, 113, Outlot 4.
69. The applicant shall execute and return a declaration of conditions and covenants (DCC) for streetlights prior to sign off of the final plat.
70. The applicant shall work with Traffic Engineering on determining the appropriate locations for Cluster Box Units. Traffic Engineering shall approve Cluster Box Unit locations prior to sign-off.
71. The applicant shall add a note to the plat stating no driveway shall be constructed that interferes with the orderly operation of the pedestrian walkway. This will require all pedestrian ramps to be constructed separate from driveway entrances; a curb-head of no less than six inches in width shall be constructed between all pedestrian ramps and driveway entrances. This is especially important at 'T' intersections where lot and building layout become critical; to prevent interference with the pedestrian ramp, lots intersecting or adjacent 'T' intersection may require a shared driveway and access.

Please contact Trent W. Schultz of the Parking Division at (608) 246-5806 if you have any questions regarding the following item:

72. The agency reviewed this project and determined a Transportation Demand Management (TDM) Plan is not required at this time. As development progresses in the subdivision, residential uses with 10 or more dwelling units and other applicable uses in MGO Section 16.03 will be subject to TDM Plan review.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at (608) 266-4429 if you have any questions regarding the following five (5) items:

73. Work with Planning and Zoning staff to finalize approval of the TR-P Master Plan text and exhibits.
74. Submit an exhibit showing the proximity to existing or planned public or common open space. All residential lots shall be located within one-quarter (1/4) mile of existing or planned public or common open space.
75. Describe how outlots 3, 4, and 6 will be used for private open space. In the TR-P Master Plan text, describe how the private open space outlots will be improved and used. The lots that front on the private open space outlots shall meet the requirements consistent with MGO Section 28.135(2)(b).

76. Submit a phasing plan for the implementation of the master planned development.

77. Obtain a raze permit prior to demolition of the farm buildings.

Please contact Matt Hamilton of the Madison Fire Department at (608) 266-4457 if you have any questions regarding the following item:

78. The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D.

Please contact Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have any questions regarding the following three (3) items:

79. Upon development, a separate water service lateral and water meter will be required to serve each parcel. The water laterals shall be directly connected to the public water main with the shut-off valve located in the public right-of-way (per PSC 185.52 (2)). A water lateral is not required if the parcel remains undeveloped.

80. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat per MGO 16.23(9)(d)(3).

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

Please contact Ann Freiwald of the Parks Division at (608) 243-2848 if you have any questions regarding the following three (3) items:

82. 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# 24002 when contacting Parks Division staff about this project.

83. Prior to sign off on the final plat, the applicant shall execute a declaration of conditions and covenants along with an impact fee schedule for the park impact fees for this development. This document will be recorded at the Register of Deeds. The applicant shall be responsible for all recording fees.

84. The following note should be included on the final plat: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued." The Parks Division shall be required to sign-off on this subdivision.

Please contact Brandon Sly of the Forestry Section at (608) 266-4816 if you have any questions regarding the following item:

85. As defined by MGO Section 10.10, City Forestry will assess the full cost of the street tree installation to the adjacent property owner. City Forestry will determine street tree planting sites and tree species type. Street tree planting will be scheduled after there is substantial completion of the new plat development along the street segment.

Please contact Andy Miller of the Office of Real Estate Services at (608) 261-9983 if you have any questions regarding the following nine (9) items:

86. Prior to final plat 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.

87. Prior to final plat approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s). If a mortgage or other financial instrument is reported in record title, but has been satisfied or no longer encumbers the lands or ownership within the plat boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to plat approval sign-off.

88. A Consent of Lessee certificate shall be included on the plat for any tenancy, including for farming purposes, in excess of one year, recorded or unrecorded, and executed by said tenant prior to agency plat approval sign-off.

89. All consents and certifications for any holder of interests in the subject lands shall conform with Wis. Stats. 236.21(2) and 236.29, i.e., to include the language "...surveyed, divided, mapped and dedicated..."

90. If any portion of the lands within the plat boundary are subject to an Option to Purchase or other Option interest please include a Certificate of Consent for the option holder and executed prior to approval sign-off.

91. 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.

92. 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 plat 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.

93. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to ORES via email to Andy Miller (acmiller@cityofmadison.com) in 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, which is November 28, 2023, 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. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the plat.
94. Revise the plat prior to final approval and recording:
- a) Accurately reflect the contents of the title report in the proposed plat.
 - b) Depict, name, and identify by document number on the proposed plat all existing easements cited in record title.
 - c) Include on the proposed plat a complete and accurate legal description of the lands that are to be included in the proposed plat. The legal description shall be reconciled with the legal description of said lands in record title.
 - d) Depict and dimension all existing improvements including, but not limited to: buildings, drives, parking lots, encroachments, wells, septic systems, etc. associated with the lands described for the proposed plat. If buildings are to be demolished, label any such buildings as "to be demolished" or similar.
 - e) For properties not connected to municipal utility services, consider whether or not well abandonment ref. NR-141 needs to be addressed.
 - f) 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.
 - g) Record satisfactions or releases for all recorded instruments that encumber or benefit the subject lands, if all interested parties agree that the purpose for such instrument is no longer necessary or relevant for the purposes of the land division.
 - h) 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 redivision 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.
 - i) 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."
 - j) No farming or use of lands to be dedicated to the public for Park purposes shall be allowed unless specifically approved by the Parks Superintendent and permitted under a farm lease administered by ORES. 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 a Real Estate Specialist in ORES to discuss the potential

lease terms. Said leases are authorized by Resolution ID 29183, Resolution 13-00247, adopted April 16, 2013.

- k) Include the following sentence with the dedicated utility easements depiction in the Legend: Utility Easements as herein set forth are for the use of public bodies, as well as private utilities having the right to serve the area.

Please contact my office at (608) 261-9632 if you have questions about the following fourteen (14) items:

95. A phasing plan for the portion of the subdivision west of Marty Road shall be submitted for approval with the first final plat.
96. Prior to submitting a final plat for any phase for this development, a revised preliminary plat shall be presented to the City that satisfies all of the conditions of this preliminary plat approval.
97. The portion of the property not located in the Central Urban Service Area (CUSA) shall be added to the CUSA boundaries prior to approval of the first final plat for recording. [An application to the Capital Area Regional Planning Commission by the City will be made later this year following Common Council authorization.]
98. Section 16.23(6)(a)6. states that alleys shall not have their points of connection on an arterial street or highway unless approved by the Plan Commission in consultation with the City Traffic Engineer or their designee. The City Traffic Engineer has indicated that egress from Outlot 5/Street "E" to Mid Town Road should not be allowed, thereby making that alley one-way southbound.
99. Describe how Outlots 3, 4, and 6 will be used for private open space. In the TR-P master plan text, describe how the private open space outlots will be improved and used. The lots that front on the private open space outlots shall meet the requirements consistent with MGO Section 28.135(2)(b).
100. As an alternative to the above two conditions, Planning staff recommends that the block containing Outlot 5/ Street "E" be reconfigured to eliminate the north-south alley and private open space outlots in favor of north-south oriented lots and streets and alleys that intersect S High Point Road and/or residential development consistent with the Residential Housing Mix (HM) 3 category in the High Point-Raymond Neighborhood Development Plan. West of Legacy Lane, Outlot 3 should be eliminated in favor of lots extended to the Mid Town Road frontage.
101. Note: East of Marty Road, the City is in negotiation to acquire Outlots 11 and 12 for stormwater management. In the event that the property is not acquired for stormwater management or other public purpose, rezoning to a district other than A–Agricultural and further subdivision of that land shall require City approval.
102. The 30-foot landscaping easement parallel to S High Point Road should be reduced or eliminated to allow additional lots to be created along the intersecting streets.

103. Revise the TR-P master plan to eliminate the references to the “proposed realignment” of Mid Town Road and S Gammon Road on proposed Outlot 12.
104. The applicant shall submit to the Planning Division two copies of private subdivision covenants, conditions and restrictions, and easements that will 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 plat. These documents shall be approved by the Planning Division in consultation with the City Attorney’s Office prior to final approval of the plat for recording.
105. The section of Marty Road south of the proposed Mid Town-Raymond Roads connection shall not be vacated/ discontinued until a suitable terminus for the section of Raymond Road south of the plat limits has been acquired/dedicated and constructed, including any portion of the terminus located off the subject site.
106. Consistent with the comments from the Engineering Division–Mapping Section, some of the officially mapped street areas and additional right of way widenings conflict with the current neighborhood development plan. Work with Planning and Engineering staff prior to submittal of the final plat to show dedications required by the High Point-Raymond Neighborhood Development Plan and/or Official Map.
107. That prior to final approval and recording of a final plat contain private open spaces, the applicant shall demonstrate compliance with the requirements in Section 16.23(8)(f)8 of the Subdivision Regulations for privately-owned and maintained open space, including the execution of land use restrictions and open space easements in a form acceptable to the Parks Division, Planning Division, and City Attorney’s Office.
108. At the time of final plat recording, the two-family twin dwellings shall have a joint cross access and maintenance agreement recorded that addresses the shared maintenance of the exterior elements of those units (roof, walls, etc.) consistent with the requirements in Section 28.151 of the Zoning Code.

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 (608) 261-9632 or tparks@cityofmadison.com.

Sincerely,

Timothy M Parks

Timothy M. Parks
Planner

ID # 81295 & 80236
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cc: Tim Troester, City Engineering Division
Julius Smith, City Engineering Division – Mapping Section
Sean Malloy, Traffic Engineering Division
Trent Schultz, Parking Division
Jenny Kirchgatter, Assistant Zoning Administrator
Matt Hamilton, Madison Fire Department
Ann Freiwald, Parks Division
Jeff Belshaw, Madison Water Utility
Brandon Sly, Forestry Section
Andy Miller, Office of Real Estate Services