



Department of Planning & Community & Economic Development

Planning Division

William Fruhling, Interim Director

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

May 22, 2024

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

RE: Approving the final plat of *Midpoint Meadows* to create the 151 single-family lots, 98 lots for the two-family twin dwellings, one lot for multi-family development, three outlots for future development, the alley outlot, and the two outlots for public stormwater management (VH Midpoint Meadows, LLC/ Veridian Homes). [ID 82752; LNDSP-2024-00003]

Dear Brett and Dan,

At its May 21, 2024 meeting, the Common Council **approved** the final plat of *Midpoint Meadows* subject to the conditions 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 (608) 267-1995 if you have questions regarding the following twenty-eight (28) items:

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. Provide calculations for the 500-year storm event, as identified in Madison General Ordinance 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.
3. This development is subject to review fees from both Capital Area Regional Plan Commission (CARPC) and Madison Metropolitan Sewerage District (MMSD). Those fees have been prepaid by the City of Madison as a condition of bring this area into the Central Urban Service Area (CUSA). The proportional share of those fees shall be charged to this development prior to approval.
4. 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.

5. 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.
6. 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.
7. Construct temporary turn around on Marty Road and demolish portion of road that will not remain. Coordinate timing with City of Madison extension of S High Point Road south of plat.
8. Construct “Old” Mid Town Road as required by the City Engineer from S High Point Road/Raymond Rd to Marty Road, including all connections to adjacent properties.
9. Construct a 10-foot wide path on old Mid Town Road alignment from S High Point Road to Marty Road.
10. Make improvements to Mid Town Road and S High Point Road in order to facilitate ingress and egress to the development as required by City Traffic Engineer.
11. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
12. This development is subject to impact fees for the Upper Badger Mill Creek Storm Impact Fee District (2024 rate: \$102.51/1000 square feet of lot area). 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.”
13. 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.
14. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat, contact either Tim Troester (West) at (608) 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at (608) 261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
15. Provide proof of septic system abandonment from Public Health–Madison and Dane County as a condition of plat approval.
16. The proposed sewer connection to the MMSD sewer access structure shall conform to all MMSD connection specification criteria. The contractor is responsible for taking out the MMSD connection permit as well as the permit connection fee if applicable. Add the following note to the plans: “The

contractor shall notify Ray Schneider (608)347- 3628, rays@madsewer.org, five (5) days prior to making the connection to the MMSD manhole to arrange for inspection of the connection.”

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. 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.
20. 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.
21. 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.
22. 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.
23. Install a property boundary witness markers along the boundary of lands dedicated for public stormwater purposes at property corners or in locations that are mutually agreeable to the applicant and Engineering Division.
24. 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.

25. 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.
26. 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.
27. 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).
28. 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.

Please contact Julius Smith of the City Engineering Division–Mapping Section at (608) 264-9276 if you have any questions regarding the following fourteen (14) items:

29. The developer shall request the petition for the future street discontinuance and vacation of Raymond Road and Marty Roads and possible portions of Mid Town Road lying east of S High Point Road.

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. Note that not all of the street intersections as fully platted hereon will remain after construction of roads. Additionally, some streets will be renamed at that time.

30. Note: The dedications for the realignment of Mid Town Road and Raymond Road to intersect at S High Point Road will cause the future planned/proposed, discontinuance/vacations to result in needed road segment name changes after completion. The existing section of Mid Town Road lying east of S High Point Road will require a name change, as will the southwesterly portion of Raymond Road lying southwest of the plat into the Town of Verona.
31. The applicant shall dedicate a 33 foot wide strip of right of way for Mid town Road matching the existing along Outlot 4.
32. Update Street A on the final plat to show as 'Raymond Road.'
33. 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.
34. 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.

35. 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.
36. 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 (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jule Smith, City Engineering (jsmith4@cityofmadison.com).

37. 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 web address for current tie sheets and control data that has been provided by the City of Madison.
38. Prior to Engineering Division final sign-off for plats, the final plat shall be submitted in PDF format by email transmittal to Engineering Land Records Coordinator Jule Smith (jsmith4@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
39. Refer to MGO specifications for final cul-de-sac curve design for C-63 and C-64 or as determined and approved by City Engineering and Traffic Engineering staff.
40. Per Wis. Stats. 236.20(2)(c), where the exterior boundary lines show bearings or lengths that vary from those recorded in abutting plats or certified surveys, there shall be the following note placed along the lines, "recorded as (show recorded bearing or length or both)."
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. The applicant shall submit to Jule Smith, prior to final Engineering sign-off of the subject CSM, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work shall be void of gaps and overlaps and match the final recorded CSM: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).

*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 submittal.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following nine (9) items:

43. The following streets shall be classified as Community Connectors as defined by the current Complete Green Streets Guide: S High Point Road. The applicant shall dedicate, at minimum, the typical right of way widths for this street classification as provided in the guide (80 feet).

44. 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.
45. All other streets in the subdivision shall have a minimum right of way width of 62 feet to allow an 18-foot wide travel way, and 8-foot wide parking lanes and 8-foot deep terraces on both sides of those streets.
46. 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.
47. The applicant shall work with the 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.
48. 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.
49. The applicant shall execute and return a declaration of conditions and covenants (DCC) for streetlights prior to sign off of the final plat.
50. 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.
51. 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:

52. 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:

53. Work with Planning and Zoning staff to finalize approval of the TR-P Master Plan text and exhibits in accordance with MGO Section 28.053(6).
54. 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.
55. Submit a phasing plan for the implementation of the master planned development.
56. Obtain a raze permit prior to demolition of the farm buildings.
57. The two-family twin homes shall have a joint cross access and maintenance agreement that has been submitted with the land division application and which shall be recorded with the land division.

Please contact Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have any questions regarding the following four (4) items:

58. Topography in the vicinity of this development requires pressure management considerations. Coordinate water system design with the Madison Water Utility to evaluate pressure mitigation options.
59. 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.
60. 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).
61. 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 Tim Sobota of Metro Transit at (608) 261-4289 if you have any questions regarding the following item:

62. The Mid Town Road, Raymond Road, and S High Point Road corridors are either existing or potential transit corridors, and any construction/redesign of those rights of way should be completed using transit-supportive pavement strengths and accessibly-sloped terrace areas. City Engineering should confirm with Metro Transit any existing or planned curbside bus stops that need accessible passenger boarding area designs.

Please contact Ann Freiwald of the Parks Division at (608) 243-2848 if you have any questions regarding the following ten (10) items:

63. 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# 24020 when contacting Parks Division staff about this project.
64. 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.
65. 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.
66. 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 through the City of Madison Office of Real Estate Services.
67. The applicant shall prominently stake all boundaries and property irons for lands to be dedicated for park purposes.
68. The developer shall provide soil borings within any lands to be dedicated as parkland.
69. The parkland dedication should meet the following guidelines for park development:
 - a) Areas within a park to be used for open space for active and passive recreation shall be graded at 1-2% for the area of field proposed.
 - b) No side slopes within the park dedication area shall exceed 4:1.
 - c) The applicant shall provide proposed grading plans prior to approval of the area for dedicated public park lands.
 - d) No propose utilities will be allowed on public park land without prior approval by the Parks Superintendent or his designee.
 - e) Areas that are wetlands shall not be dedicated as public parkland.
70. The applicant shall complete a tree inventory and health assessment for the trees located on the proposed public park and any in close proximity to the park. The applicant shall include all existing trees, which are not all currently shown on the preliminary plat. The tree inventory and health assessment should be completed by an arborist and provided to the Parks Division with the final plat application.
71. If private lots back up to the public park land, the applicant shall install a fence along the boundary of lands dedicated for public park purposes at the sole expense of the applicant. The fence shall be

installed on private property to a design that is mutually agreeable to the applicant and Parks Division. The cost of the fence shall not be eligible for Park–Infrastructure Impact Fee credits. The applicant shall execute a deed restriction that would require the fence to be perpetually maintained by the property owners for any lots that are adjacent to publicly dedicated park lands.

72. Once dedicated to the public, the developer shall not use park property for construction staging, stockpiling material, or any other purpose.

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

73. 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:

74. 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.
75. 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.
76. 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.
77. 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...”
78. 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.
79. 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.

80. 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.
81. Pursuant to MGO Section 16.23(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.
82. 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 13-00247 (ID 29183), 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 any questions about the following four (4) items:

- 83. The applicant shall submit a landscaping plan for the easement area on Lots 235-250 for approval by the Planning Division and inclusion in the final TR-P zoning plan for the development. The landscaping plan shall include details on any berming to be built within the easement, as well as the size and species of trees and perennials to be planted. The scope of the landscaping plan shall extend from the west side of the proposed public sidewalk to the right of way of S High Point Road from Mid Town Road to Starnova Drive. Approval of the landscaping plan shall be granted prior to final approval of the plat for recording.
- 84. The portion of the property not located in the Central Urban Service Area (CUSA) shall be added to the CUSA boundaries prior to recording of the final plat.
- 85. 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.
- 86. 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.

In order to commence the process for obtaining the necessary City signatures on the final plat, the applicant shall e-mail the revised plat, updated title report, and any other materials required by reviewing agencies to the reviewing planner. The reviewing planner will share the updated materials with the relevant commenting City agencies for them to verify that their conditions have been satisfied and that the secretary or designee may sign the Plan Commission approval certificate. Once the Plan Commission

certificate is executed, the Planning Division will notify the City Clerk's Office that the Common Council certificate may be executed and the City Treasurer that his signature may be affixed.

Once all of the necessary City signatures have been affixed to the final plat, the instrument may be recorded at the Dane County Register of Deeds Office. For information on recording procedures and fees, please contact the Register of Deeds at (608) 266-4141.

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 regarding this project, please do not hesitate to contact me at (608) 261-9632 or tparks@cityofmadison.com.

Sincerely,

Timothy M Parks

Timothy M. Parks
Planner

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
Tim Sobota, Metro Transit
Ann Freiwald, Parks Division
Jeff Belshaw, Madison Water Utility
Brandon Sly, Forestry Section
Andy Miller, Office of Real Estate Services