



Department of Planning & Community & Economic Development

## Planning Division

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March 21, 2014

Kevin Pape  
D'Onofrio Kottke & Associates  
7530 Westward Way  
Madison, Wisconsin 53717

RE: Approval of a final plat creating 44 single-family residential lots, 2 lots for future multi-family development, and 2 outlots to be dedicated to the public for stormwater management (Alex McKenzie/ Sugar Maple, LLC).

Dear Mr. Pape;

At its March 18, 2014 meeting, the Common Council **conditionally approved** the final plat of Sugar Maple subject to the following conditions of approval to be addressed through the final plat of the subdivision:

**Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following forty-seven (47) items:**

1. A revised Preliminary Plat addressing comments from the January 28, 2014 conditional approval letter for the Preliminary Plat shall be submitted addressing the appropriate comments
2. Provide a 30-foot building setback line along Valley View Road on all lots abutting its right of way.
3. Sugar Maple Development, LLC currently has rights to a Sanitary Sewer Easement recorded as Document No. 4374780 (Also see Quit Claim of Easement Rights per Document No. 4969282 and Special Warranty Deed 4979711). Upon completion of the sanitary sewer and approval by the City of Madison, the owner of the easement shall dedicate the sewer and convey their rights to the Sanitary Sewer Easement to the City of Madison. The document shall be approved by the City of Madison and recorded at the Dane County Register of Deeds. If the sewer alignment requires adjustment the Developer shall be responsible for obtaining additional easements as necessary for the construction of the sanitary sewer.
4. The Sanitary Sewer Easement per Document No. 4374780 shall be shown and noted on the final plat considering that it is necessary for Sanitary Sewer Facilities that will serve this plat.
5. Insert 25-foot return radii at the intersection of Lost Pine Trail and Sugar Maple Lane.

6. An additional 7 feet of right of way along the south side of Valley View Road and 4 feet along the east side of Sugar Maple Lane shall be dedicated to the public. The return radius at the intersection of Valley View Road with Sugar Maple Lane shall be 25 feet.
7. The final plat shall clearly designate all easements within this plat boundary as either existing or new and public versus private ownership. Any easements within this plat that already exist, if any, shall include the Register of Deeds recording information that created the same. For any new public use easements to be dedicated and conveyed by this subdivision plat, contact City Engineering-Mapping staff (Jeff Quamme – [jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com) ) to receive the appropriate easement terms/conditions language for inclusion on this subdivision plat.
8. The “Temporary Turn-Around Easements” shall have language appended stating: “Said easement shall terminate upon the extension of Wild Petunia Road (or Lost Pine Trail) east of this subdivision and the removal of the temporary turn-around improvements.” The final configuration and dimensions for the temporary easement shall determined by City Engineering staff.
9. Revise the bearing reference note to refer to the North line of the Northwest Quarter of Section 33.
10. Provide dimensions to the found monuments along the west side of Outlot 2 the east side of Outlot 1 and the south end of Cherry Blossom Drive.
11. Provide the “Recorded As” information on the plat boundaries and existing building locations as required by State Statute.
12. It shall be the developer’s responsibility to obtain any necessary grading easements from the lands to the east for the construction of Cherry Blossom Drive.
13. Provide a bearing on the map for the last course of the tie from the section line (currently just labeled 33.00’).
14. Change the plat name to “Sugar Maple” in the City of Madison, County Treasurer and City Treasurer certificates on sheet 2. Also, correct the spelling of WITNESS under the Owner’s Certificate.
15. Wild Petunia Road has been changed to Wild Prairie Trail at the request of the owner.
16. Verify and modify the plat accordingly to ensure that the zoning setbacks coincide with the required drainage easement widths.
17. The developer shall install sidewalk, curb and gutter, pavement and storm sewer along Valley View Road and Sugar Maple Lane, in accordance with the plans approved by the City Engineer.
18. The developer shall dedicate right of way on Valley View Road to accommodate a left turn lane from Valley View Road onto Sugar Maple Lane.
19. A method to collect the well-distributed drainage coming off the USDA property the east must be determined so that it may be directed to the new greenway. This may require easements and grading on Lots 21 and 35.

20. The developer may be required to obtain off-site easements for the sanitary sewer construction required downstream of the plat.
21. The developer shall construct sanitary sewer downstream of the plat connecting on Feather Edge Drive. A sewer maintenance road will be required over the easement.
22. The developer may be required to upgrade the existing culverts under Sugar Maple Lane and install new RCP pipe to replace the existing corrugated metal pipes.
23. The developer shall remove the septic systems with the building demolition and take out a septic system removal permit with the Public Health Department of Madison and Dane County. The developer shall provide evidence of application submittal prior to the approval of the final plat.
24. The developer shall construct sidewalk, curb and gutter, asphalt pavement, asphalt tapers, shoulders, ditching, and storm sewer on Sugar Maple Lane, in accordance with the plans approved by the City Engineer and City Traffic Engineer. The developer shall meet with City Engineering staff to discuss the construction and if existing conditions of the roadway make the roadway improvements impractical then the City may elect to let a public works improvement contract for the improvements required on Sugar Maple Lane. The developer shall be financially responsible for their proportionate share of the construction of the street improvements and cost for engineering, testing, inspection and other related costs incurred by the City for this work. The developer shall be 100% responsible for the construction of sanitary sewer on Sugar Maple Lane as necessary to serve the plat. A cost sharing arrangement by the City and the developer shall be discussed to allow for the logical construction sequence of the improvements.
25. The developer shall construct Cherry Blossom Drive between Ancient Oak Lane and the north line of Lot 42 with a full pavement width, curb and gutter on both sides, and sidewalk on the west side. A full typical street section shall be required on Cherry Blossom Drive south of north line of Lot 42.
26. The developer shall sign a waiver of hearing and notice for the public works construction contract for Sugar Maple Lane.
27. The City may elect to install water main on Sugar Maple Lane to serve the development. Coordinate any cost sharing or reimbursement contracts with Dennis Cawley at the Madison Water Utility (261-9243) if this project qualifies.
28. Additional storm water management requirements (volumetric matching of the 10-year storm event) shall be required unless an easement can be secured by the Developer from the downstream property owners to allow for discharge onto the downstream lands.
29. 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.
30. 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 9 feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.

31. This development is subject to impact fees for the Lower Badger Mill Creek Sanitary Sewer and Stormwater Impact Fee District. All impact fees are due and payable at the time building permits are issued. The following note shall be put the face of the plat: "Lots/ buildings within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."
32. Public Sanitary Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Plat is/are subject to the following conditions:
  - a.) The property owner reserves the right to use and occupy the Public Sanitary Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/ or modification of the public sanitary sewer facilities.
  - b.) No above-ground improvements shall be located in the Public Sanitary Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public sanitary sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c.) Plantings and landscaping within the Public Sanitary Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d.) The property owner shall not change the grade of the Public Sanitary Sewer Easement Area(s) without the prior written approval of the City Engineering Division.
  - e.) The Public Sanitary Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
33. The developer shall construct Madison standard street and sidewalk improvements for all streets within the plat.
34. The developer shall make improvements to Sugar Maple Lane to facilitate ingress and egress to the plat.
35. An erosion control plan and land disturbing activity permit shall be submitted to the City Engineering Division for review and approval prior to grading or any other construction activities. The Preconstruction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
36. 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.

37. 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.

The master storm water 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 Engineering Division's approval of this plan."

38. 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; control 80% TSS (5 micron particle) off of new paved surfaces; provide infiltration in accordance with Chapter 37 of Madison General Ordinances; provide substantial thermal control, and; 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 MGO.

39. Effective January 1, 2010, the Department of Commerce's authority to permit commercial sites for stormwater and erosion control has been transferred to the Wisconsin Department of Natural Resources (DNR). As this site is greater than 1 acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the DNR prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the DNR to discuss this requirement. The City of Madison cannot issue an erosion control and stormwater management permit until concurrence is obtained from the DNR.
40. A minimum of 2 working days prior to requesting City Engineering signoff on the plat, the applicant shall contact Janet Dailey (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).
41. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
42. 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 Dailey (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
43. 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.
44. The applicant shall submit to Eric Pederson, prior to Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the final plat 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.

- 45. 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.
- 46. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference **City of Madison WCCS Dane Zone, 1997Coordinates** on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. City of Madison has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City of Madison Engineering Division web address [http://gis.ci.madison.wi.us/Madison\\_PLSS/PLSS\\_TieSheets.html](http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html) for current tie sheets and control data. If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact the City Engineering Division for this information.
- 47. City of Madison Environmental Projects Staff have reviewed the subject site and determined that a Phase I ESA **will** be required of the applicant. The applicant shall provide 1 digital and 2 hard copies of an ASTM Phase I ESA prepared by an environmental professional. Staff review of this Phase I ESA will determine if a further investigative Phase II ESA is also required. Please submit any relevant Phase I and Phase II ESAs to Brynn Bemis (267-1986, [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)) for further review.

**Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following four (4) items:**

- 48. Sugar Maple Lane south of this plat is platted with a right of way of 74 feet. The 74 feet of right of way allows for the installation of a boulevard or islands at roadway intersections. This roadway will function as a collector, providing access from Valley View Road to developments to the south. A boulevard or island treatment will help to calm the additional traffic on this street. The applicant shall revise this final plat to dedicate an additional 4 feet of right of way to maintain consistency of the street cross section.
- 49. The applicant shall execute and return a declaration of conditions and covenants for streetlights and traffic signals prior to sign off.
- 50. Utility easements shall be provided on the final plat between the lots in the following table. The applicant shall show a detail drawing of the 12-foot utility easement dimensions and lot lines on the face of the final plat.

Between Lots	Between Lots	Between Lots	Between Lots
Westerly 10' of Lot 1	17, 18	31, 32	7, Outlot 2
4, 5	Easterly 10' of Lot 21	Easterly 10' of Lot 35	29, Outlot 1

51. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

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

52. All public water mains and water service laterals shall be installed by a standard City of Madison Subdivision Contract. The Water Utility will not need to sign off the final plans, but will need a copy of the approved plans.

53. 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:**

54. 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 two (2) items and the items in the attached memo (where in conflict, the memo applies):**

55. 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. Park dedication and development fees for 41 new single-family lots are required. Park impact fees for the future multi-family development on Lots 45 and 46 will be determined when subsequent plans are submitted for review and approval for each of these lots. The developer must select a method for payment of future park impact fees prior to signoff of the final plat. 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# 13153 when contacting the Parks Division about this project.

56. 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 Jenny Frese of the Office of Real Estate Services at (608) 267-8719 if you have any questions regarding the following six (6) items:**

57. Prior to final 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 MGO Section 16.23(5)(g)4 and 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.

58. Certificates of consent from all mortgagees/vendors shall be included on the final plat following the Owner's Certificate(s).
59. An Environmental Site Assessment will be required because of the public dedications.
60. Please include a certificate for the City of Madison Plan Commission to be executed prior to Plat recording.
61. All real estate taxes, special assessments and stormwater management fees due for this property shall be paid in full prior to final approval and recording of the final plat of this subdivision. The 2013 real estate taxes are partially paid for the subject property, with the second installment owed. Provide a copy of the "Paid" tax receipt prior to presenting the final plat for final sign-off prior to recording.
62. The following revisions shall be made to the plat prior to final approval and recording:
  - a.) Research whether or not the Note from CSM 1364 has been satisfied. If not, please include.
  - b.) Include a note that states the lands within the plat boundary are subject to an adjacent easement, recorded as Document No. 4374780, conveyed together with the vesting Warranty Deed.
  - c.) Depict and dimension all existing improvements (buildings, drives, parking lots, etc.), encroachments, wells and septic systems associated with the lands described for the proposed plat. (Well abandonment: ref. NR 141).

**Please contact my office at 261-9632 if you have any questions about the four (4) items:**

63. Prior to recording of the final plat, the applicant shall work with Planning and City Engineering staff on the dedication and construction of a public multi-purpose path between Sugar Maple Lane and Cherry Blossom Drive in the approximate location of Wild Petunia Road as generally called for in the Mid-Town Neighborhood Development Plan.
64. That prior to final approval and recording of the final plat dedicating the stormwater outlot(s) to the City, an adjustment to the environmental corridor map be approved by the Capital Area Regional Planning Commission or its staff to reflect the final platting of Outlots 1 and 2.
65. Prior to recording of the final plat, that a final tree preservation plan and grading plan be approved by staff. The final plan will be reviewed by the Planning Division, Parks Division and City Engineering Division to identify areas where existing vegetation may be preserved as part of the implementation of the subdivision. The tree preservation plan shall contain an inventory noting the general size and species of existing trees so that opportunities for tree preservation, tree replanting and any protective measures related thereto (including tree preservation easements) can be noted the final plat.
66. A note shall be added to the final plat prior to recording that states that cumulative future density of Lots 45 and 46 is limited to 250 total residential units consistent with the zoning and preliminary plat approval.

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

As soon as the comments and conditions have been satisfied for the final plat as verified with a completed affidavit form (attached), the original along with the revised final plat, with all signatures and approvals from the reviewing agencies, shall be brought to this office for final signoff. You or your client may then record the final plat at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 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. 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.

Sincerely,

Timothy M. Parks  
Planner

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