



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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Madison Municipal Building, Suite 017  
215 Martin Luther King Jr. Boulevard  
Madison, Wisconsin 53703  
Phone: (608) 266-4635  
[www.cityofmadison.com](http://www.cityofmadison.com)

April 19, 2019

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

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

RE: Approval of a request to rezone land generally addressed as 10024 Valley View Road from A (Agricultural District), TR-C3 (Traditional Residential–Consistent 3 District) and TR-P (Traditional Residential–Planned District) to TR-P; approval of a demolition permit to demolish the single-family residence at 10024 Valley View Road; and approval of the preliminary plat of *Western Addition to 1000 Oaks*, creating 86 lots for single-family detached residences, four two-family dwelling twin-homes on eight fee simple lots (eight units), one lot for the future development of up to 110 multi-family units, one outlot to be dedicated to the public to expand Birchwood Point Park, two outlots to be dedicated for public alleys, two outlots to be dedicated to the public for stormwater management, and one outlot for future development (Veridian Homes). [ID 54248, 54018, and 54456; LNDSP-2018-00015]

Gentlemen;

At its April 16, 2019 meeting, the Common Council **approved** the zoning map amendment and preliminary plat of “Western Addition to 1000 Oaks” 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. The Plan **approved** the demolition permit for 10024 Valley View Road at its March 25, 2019 meeting.

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

1. Fees for the Pioneer Urban Service Area and for the Madison Metropolitan Sewerage District (MMSD) Annexation are due and payable prior to sign off of the plat.
2. Submit stormwater management that demonstrates safe passage of the 100-year event with the public way or public easements; demonstrate the safe passage of the 500-year event to show no structural flooding.

3. The applicant shall deed restrict any properties to minimum building opening elevations to mitigate flooding concerns, as determined by the City Engineer.
4. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
5. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
6. The construction of this project will require that the applicant shall enter into a City/ Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Note: Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.
7. This development is subject to impact fees for the Lower Badger Mill Creek Sanitary Sewer and Stormwater Management Impact Fee District. All impact fees are due and payable at the time building permits are issued. The following note shall put on the face of the plans: "Lots/ buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued."
8. A Phase 1 environmental site assessment (Phase 1 ESA), compliant with ASTM E1527-13, is required for the project area. The applicant shall provide one (1) digital copy and a paper copy only if specifically requested. Staff review of this Phase 1 ESA will determine if a Phase 2 ESA is also required. Please submit report(s) to Brynn Bemis (608-267-1986, [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)) for review.
9. An erosion control plan and land disturbing activity permit shall be submitted to the 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 Sections 37.07 and 37.08 of Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
10. A minimum of two (2) working days prior to requesting City Engineering signoff on the final plat, the applicant shall contact either Tim Troester at 261-1995 ([ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com)) or Brenda Stanley at 261-9127 ([bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com)) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
11. The following notes shall be included on the final plat (MGO: 16.23(9)(d)2. (a. & b.): 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-foot 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, without the approval of the City Engineer at the time of site plan review. Fences may be placed in the easement only if they do not impede the anticipated flow of water. NOTE: In the event of a City of Madison Plan Commission- and/or Common Council-approved re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision. B) The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved stormwater drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances. Information to Surveyor's: In addition to notes such as this, 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.

12. The applicant shall verify the zoning setbacks and non-exclusive drainage easement widths coincide and adjust the required note on the plat accordingly.
13. Two weeks prior to recording the final plat, a soil boring report prepared by a Professional Engineer, shall be submitted to the City Engineering Division indicating a ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than nine (9) feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
14. The applicant shall outline the limits of the existing septic system or verify it is not located on the parcel to be subdivided.
15. The applicant shall provide proof of septic system abandonment from Public Health—Madison and Dane County as a condition of plat approval.
16. The applicant shall install property boundary markers along the back lines of Lots 328-337 as required by the City Engineer.
17. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. The PDF submittals shall contain the following information: a) Building Footprints; b) Internal Walkway Areas; c) Internal Site Parking Areas; d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); e) Right-of-Way lines (public and private); f) Lot lines or parcel lines if unplatted; g) Lot numbers or the words unplatted; h) Lot/Plat dimensions; i) Street names; j) Stormwater Management Facilities; and

- k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
18. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including: a) SLAMM .DAT files; b) RECARGA files; c) TR-55/HYDROCAD/Etc., and; d) Sediment loading calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.
  19. This site appears to disturb over one (1) acre of land and requires a permit from the 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.
  20. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to: detain the 2-, 10-, and 100-year storm events, matching post development rates to predevelopment rates; reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls; provide infiltration in accordance with MGO Chapter 37; and provide substantial thermal control.
  21. Provide any off plat grading easements to confine and direct off site drainage to the public system.
  22. The applicant shall construct a 12-foot wide sanitary sewer access path for the sanitary sewer serving the development. Construct access path in conformance with *City of Madison Standard Specifications for Public Works Construction Standard Detail Drawing 5.1.3, 5.1.4 or 5.1.4A*. The access path is required where there is no hard surface above sanitary sewer (concrete, asphalt). Native ground is not considered a hard surface.
  23. The developer shall construct Madison standard street and sidewalk improvements for all streets within the plat.
  24. The developer shall make improvements to Valley View Road to facilitate ingress and egress to the plat, including the construction of acceleration and deceleration tapers. These improvements may require dedication of right of way outside of the limits of the plat.
  25. The developer shall note the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat.
  26. The developer shall confirm that adequate sight distance exists where public streets intersect. If adequate sight distance does not exist, the developer shall change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make other mitigating improvements as required by the City.
  27. The developer shall construct four feet of pavement, curb and gutter, terrace, and sidewalk on Valley View Road from Lots 337-363 as required by the City Engineer.

28. The developer shall construct public multi-use path through Outlots 19, 18, 20 and 23 as required by the City Engineer.

**Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have any questions regarding the following twenty-five (25) items:**

29. The applicant shall acquire and dedicate an 80-foot wide strip of right of way for Sugar Maple Lane from the north plat limits to Hazy Sky Parkway by the end of 2022 or as mutually agreed by developer agreement contract amendment.

30. It is anticipated that the improvements on Sugar Maple Lane required to facilitate ingress and egress to the plat will require additional right of way and/or grading easements located outside the plat boundary. The developer shall acquire the right of way and/or sloping easements as required by the City at the developer's expense. In the event that the developer is unable to acquire the right of way and/or sloping easements required, the City shall assist the developer in acquiring the property and the developer shall pay the City for all costs associated with the acquisition.

31. This replat requires the vacation and discontinuance of portions of platted public right- of-ways of Old Timber Pass and Sweet Willow Pass. The applicant's consultant shall provide the required map exhibits and descriptions of those areas. The public ways shall be discontinued by separate resolution by the City of Madison under s.66.1003 (4) of the Wisconsin Statutes. The discontinuances shall be introduced to the Common Council upon the receipt and approval of the required map exhibits and legal descriptions. The final recording and validation of the vacation shall be conditioned upon the conditions of approval for the development being met to the satisfaction of the City of Madison Engineer.

32. The public easements and utility easements that are required to be released shall be released by separate document prepared by City Office of Real Estate Services. The applicant shall prepare any necessary legal descriptions and scale map exhibits for the portions to be released and provide to and Coordinate with Engineering Land Records Coordinator Jeff Quamme for review. Upon approval of the exhibits, Engineering will create the necessary Office of Real Estate Services (ORES) Project. ORES staff will then administer the release document(s) and record with the Dane County Register of Deeds. The applicant is responsible to obtain releases of the easements by the other Utility companies serving the area. The releases shall be required to be completed prior to final sign off and recording of the final plat. Acknowledgement of the release and document number shall be noted on the face of the plat.

33. Outlots 25 and 29 of the plat of Southern Addition to Birchwood Point were dedicated to the public for Stormwater Management Purposes and Outlot 28 for Public Park Purposes. These outlots are proposed to be reconfigured by the proposed plat. The City of Madison accepted dedication for these special purposes. To accomplish releasing the restriction under s. 66.1025(1) of the Wisconsin Statutes, the City of Madison, after resolution by the Common Council, shall grant the land back the dedicator or the heirs of the dedicator to permit the replatting of the outlots with the replat. Coordinate this with Jeff Quamme of Engineering-Mapping, 266- 4097 or jrquamme@cityofmadison.com. The outlots are not a road, street, slip, pier, lane or paved alley and

therefore cannot be vacated and discontinued under 66.1003 Wisconsin Statutes. The blanket easements over these outlots shall be released as well as new easements will be granted by this new proposed plat.

34. The portion of the No Vehicular Access restriction along Valley View Road per Southern Addition to Birchwood Point and the portion that remains along Valley View Road per CSM No 6411 shall be released. Also the building setback lines on lots 407 and 450 of Southern Addition to Birchwood point shall be released. The releases shall be accomplished by separate document prepared by the City Office of Real Estate Services. The applicant must prepare metes and bounds legal descriptions and scale map exhibits for the portions to be released and provide to Engineering Land Records Coordinator Jeff Quamme for review along with the \$500 administrative fee (266-4097) ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)).
35. No vehicular access restrictions and 20-foot building setbacks for Lots 337, 356, 357, 364, 363 and Outlot 21 along Valley View Road shall be added to the plat.
36. The 20-foot wide landscaping easement over Lot 450 of Southern Addition to Birchwood Point shall be released by the homeowners association.
37. Old Timber Pass, Outlot 20 and some of the proposed lots are encumbered by a Declaration of Driveway Easement per Document No. 5448151 serving the single-family lands north of this subdivision. The easement shall be released within areas dedicated to the public prior to recording the plat. If the driveway access remains necessary within dedicated lands pending actual construction of street improvements, the owner of those lands shall enter into an encroachment agreement and or lease with the City of Madison for the duration of the private driveway access need.
38. The existing 12-foot wide Public Utility Easement along the southern side of Outlot 29 and 450 of Southern Addition to Birchwood Point shall be shown on new Outlot 19 of this proposed plat. Connect the Public Utility Easement to the new Easements that will be set forth on the face of the new plat.
39. The applicant shall 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.
40. Provide a 25-foot wide public sanitary sewer easement over the westerly 25 feet of proposed Outlot 19 adjacent to Lots 328-337 and extending northerly to intersect Old Timber Pass where existing sanitary sewer exists. Also, provide an easement connection to the end of the existing easement per Document No. 5224627 where it was released by Document No 5438239.
41. The preliminary plat shall have a complete legal description of the lands and shall properly reference all previously platted lots and proposed vacated right of ways that are included within the plat. Proposed 1000 Oaks Replat No. 2 will need to be recorded prior to this plat.
42. All existing and proposed easements shall be fully dimensioned on the final plat.

43. The existing 10-foot wide easement to Mid Plains Telephone bisects several of the proposed lots. The easement shall be released upon movement of the facilities. If this cannot be completed prior to final plat recording, the final plat shall show the easement and note it is to be released by a separate instrument.
44. Add text to the 20-foot wide public sanitary sewer easement per Document No. 4496595 was partially released by Document No. 5224625.
45. Provide private Easements or Outlots to accommodate the now USPS required centralized delivery of mail using Cluster Box Units (CBU's). The applicant shall coordinate with the USPS Development Coordinator and City Engineering and Traffic staff the required locations for the CBU's. CBU's serving this plat will not be permitted within any publicly owned or dedicated lands. If the Developer is not able to determine the final locations prior to recording the final plat, the final placement of the CBU's shall be determined and all documents recorded for the placement of the CBU's (after City review and approval) prior to construction of each phase. A recorded CBU owner's agreement shall be required prior to execution of the development agreement and prior to final sign-off of the plat.
46. Provide two street name suggestions for Street "A" and Street "B" to Lori Zenchenko (LZenchenko@cityofmadison.com) for review and approval.
47. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The developer's surveyor and/or applicant must submit copies of required tie sheets or monument condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com). If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office and shall be attached to a signed and sealed monument condition report. The applicant shall identify monument types on all PLS corners included on the plat.
48. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe PDF format. The digital CADD file shall be submitted in the WisDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

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

49. The existing Sanitary Sewer Easement per Document No 5224627 shall remain within Outlot 26. It shall be shown within the Outlot on the final plat.
50. Add text to the outlots subject to easements that the easements are over the entirety of the outlot.
51. Show the areas outside of the plat to be dedicated to the public for public right of way and note that the dedication shall be by separate instrument.
52. Specify that there are No Buildings Permitted within the wetland setback areas shown on the plat.
53. Submit suggested street names to Lori Zenchenko (LZenchenko@cityofmadison.com) for review and approval.

**Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following three (3) items:**

54. Prior to final sign-off, the applicant shall work with to record the necessary easements for streetlights the Traffic Engineering Division Electrical Section to record the necessary easements for streetlights. Typically, Traffic Engineering requires a 12-foot wide easement between lots and 6-foot easements on corner lots where streetlights are needed. Easements needed on Lots: Outlot 20, 382, 383, 400-401, 388-389, 411-412, 393, 343-344, 347, 353-354, 364, 348, 358-359, 337, and Outlot 25.
55. The applicant shall execute and return a declaration of conditions and covenants (DCC) for streetlights and traffic signals prior to sign off of the final plat.
56. The applicant shall add a note to the final 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 (6) 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 Jenny Kirchgatter, Assistant Zoning Administrator, at 266-4429 if you have any questions regarding the following three (3) items:**

57. MGO Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682). Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
58. Submit the Master Plan document for final approval by Zoning and Planning staff, including the building design standards for the multi-family lot.



59. Include an exhibit in the Master Plan with a list of the lot numbers and lot type.

**Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following four (4) items:**

60. Prior to commencing with demolition of any structures on this property, the existing private well must be properly abandoned according to the requirements of the Wisconsin Administrative Code, Chapter NR-812, which includes proper filling and sealing of the well. All wells located in the City of Madison or on premises served by the Madison Water Utility shall be abandoned by the owner of the property if there is no valid well operation permit issued by the Madison Water Utility (MGO Section 13.21 (4)). The purpose of the ordinance is to prevent unused and improperly abandoned wells from contaminating Madison's drinking water aquifer.

As specified in the ordinance, your responsibilities include:

- Contact a licensed well driller or pump installer and schedule the well abandonment.
- Contact the Water Utility, at least 48 hours prior to the abandonment, and provide the scheduled date and time of the abandonment. The contact number is (608) 266-4654.
- Pay for the cost of the abandonment.
- Ensure that a completed copy of the Wisconsin DNR Abandonment Form is provided to the Madison Water Utility within ten (10) days of the completion of the well abandonment. This form will be completed by the well driller or pump installer who performs the abandonment.

The responsibilities of the Water Utility include:

- Witness the abandonment to ensure that the private well is properly filled and sealed.

Contact Madison Water Utility once you confirm date of the abandonment and the licensed well driller or pump installer performing the work. If you have any questions, contact the Madison Water Utility Water Quality Department at 266-4654.

61. 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).

62. All public water mains and water service laterals shall be installed by a standard City of Madison Subdivision Contract. The applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.

63. The Madison Water Utility will be required to sign off as part of the approval review associated with this Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development.

**Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following two (2) items:**

64. A fire apparatus access road that is longer than 300 feet shall terminate in a turnaround. Provide an approved turnaround (cul-de-sac, 45-degree wye, 90-degree tee) at the end of the fire apparatus access road. This turnaround shall be constructed of concrete or asphalt only, and designed to support a minimum load of 85,000 lbs. Temporary dead-ends greater than 300 feet will be acceptable if all homes beyond 300 feet include a fire sprinkler system.
65. The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D. Additional information is available at the Home Fire Sprinkler Coalition website: <https://homefiresprinkler.org/building-residential-fire-sprinklers>. An upgrade to include a fire sprinkler system with a cost estimate shall be made available for all initial single- or two-family home sales.

**Please contact Sarah Lerner of the Parks Division at 261-4281 if you have any questions regarding the following sixteen (16) items:**

66. The preliminary plat, as currently proposed includes 86 single-family units, four two-family dwellings and one lot for multi-family development with up to 110 units. The parkland dedication requirement for a single-family and duplex is 1,081 square feet per MGO Sec. 16.23(8)(f) and 20.08(2). The total dedication requirement as proposed is approximately 4.19 acres.
67. Credits will be given to this plat for the units that were originally platted as part of Birchwood Point South, for the existing single-family home (credit will be applied to Lot 362), and for the additional acreage added to former Outlot 28 (now Outlot 18).
68. Since the stormwater management and parkland dedications are shown adjacent to each other, a final determination of the parkland area that will be proposed for parkland dedication cannot be calculated until after the final stormwater master plan is completed.
69. The applicant shall provide information regarding the storm overflow in the adjacent greenway and street to ensure the overflow is not on the park property.
70. The applicant shall meet all the condition of the previously submitted Birchwood Point South plat, including installation of a path between lots 432 and 433 of Birchwood Point South.
71. Park-Infrastructure Impact Fee, per MGO Sec. 20.08(2), will be required for all new residential development associated with this subdivision. The applicant may enter into a development agreement for the park infrastructure improvements in lieu of paying Park impact fees. The developer must select a method for payment of park impact fees prior to signoff of the final plat. Please reference ID# 19006 when contacting Parks Division staff about this project.
72. 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.

73. 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 parklands.
74. 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.
75. The applicant shall prominently stake all boundaries and property irons for lands to be dedicated for park purposes.
76. The applicant shall provide soil borings for the expanded outlot dedicated for park purposes.
77. The applicant shall complete a tree inventory and health assessment for the trees located on the proposed expanded outlot dedicated for park purposes. The tree inventory and health assessment should be completed by an arborist and provided to the Parks Division with the final plat application.
78. City Forestry will evaluate the terrace for new street tree plantings upon completion of the project. If there is space for new trees, City Forestry will schedule planting and assess the cost of the initial planting to the property owner.
79. The following note should be included on the subdivision: “Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued.”
80. The developer shall provide soil borings within any lands to be dedicated as parkland.
81. Lands that are dedicated for park purposes to fulfill the parkland dedication shall be suitable for park development. The applicant shall provide proposed grading plans prior approval of the area of dedicated public parklands. General guidelines for park development include:
  - 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 where fields are proposed.
  - b.) No side slopes within the park dedication area shall exceed 4:1.
  - c.) Large or excessive retaining walls shall not be allowed on public parklands to meet the grading requirements.
  - d.) The Applicant shall provide a proposed bike path grading plan to show any potential impacts to the trees within the proposed park.
  - e.) No proposed utilities will be allowed on public parkland without prior approval by the Parks Superintendent or his designee.

- f.) Provide for graded walking path to be constructed around the stormwater management property within Outlot 18 (previously Outlot 28 of Birchwood Point).

**Please contact my office at 261-9632 if you have any questions regarding the following three (3) items:**

82. The applicant shall show a 20-foot platted side yard setback line on the final plat parallel to Valley View Road for Lots 337, 356, 357 and 364.
83. Note: Vehicular access to Lot 363 from Valley View Road will be determined at the time that specific plans for development of that lot are submitted for conditional use approval.
84. Prior to recording of the final plat, the Planning Division shall approve the final building design standards for the proposed development to be recorded in the covenants, conditions and restrictions for the subdivision. The final TR-P master plan and subdivision restrictions shall include the massing and composition of structures, orientation of windows and entries; doors and other elements of the facade, and primary facade materials and colors as well as the process for the application of such building design standards, through an architectural review committee or similar review body.

**Please contact Lance Vest of the Office of Real Estate Services at 245-5794 if you have any questions regarding the following nine (9) items:**

85. 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 plat approval sign-off.
86. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to final plat sign-off. If mortgages of record are paid off prior to plat approval, a copy of the recorded satisfaction for said mortgage shall be provided prior to sign-off.
87. A Consent of Lessee certificate shall be included on the plat for any tenancy in excess of one year, recorded or unrecorded, and executed by said tenant prior to agency plat approval sign-off.
88. 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..."
89. An Environmental Site Assessment is required for the lands to be dedicated by the final plat, to be reviewed by Brynn Bemis in City Engineering ([bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)).
90. The final plat shall include all of the necessary certificates and signature blocks for the Common Council, Dane County Register of Deeds, City Treasurer, and Dane County Treasurer.
91. Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes and special assessments that are accrued or delinquent for all parcels within the plat

boundary prior to 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; 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)(g)(4), the owner shall furnish to Lance Vest ([lvest@cityofmadison.com](mailto:lvest@cityofmadison.com)) in the City's Office of Real Estate Services (ORES), as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (October 18, 2018) 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.
93. The following revisions shall be made on the final 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, including but not limited to: Document Nos. 487893, 517425, 2398423, 4474725, 4496595 and 5448151.
  - 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.
  - 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.) Initiate requests to all applicable utilities to record releases of their interests in utility easements in underlying plats or CSM's, if this proposed plat is a re-division of existing plats or CSMs with utility easements that will no longer be applicable; and, prior to requesting sign-off, place a note in the proposed plat citing the recording data for the City's recorded release of same.
  - h.) If the lands within the Plat boundary are farmed agricultural lands, the applicant shall enter into a lease with the City for those lands to be dedicated and/or conveyed to the City through Plat recording. Please contact Heidi Fischer at 264-9297 to discuss the potential lease terms. Said leases are authorized by Resolution 13-00247 (ID 29183), adopted April 16, 2013.
  - i.) 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.

**No interior, exterior or structural demolition or wrecking activities (including material reclamation activities by the applicant or a third party) shall commence nor any wrecking or building permits be issued until the applicant has met all of the demolition-related conditions of approval stated in this letter.**

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

Any appeal regarding the plat, including the conditions of approval related thereto, must be filed with the Circuit Court within thirty (30) days from the date of this letter. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

In order to receive a raze permit for the residence, please submit plans and any other documentation requested herein with the Zoning Administrator per the above conditions, and the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code. Materials shall be submitted to Room 017, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. **This submittal shall all also include one (1) complete digital plan set in PDF format.** The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.

A demolition or removal permit is valid for one (1) year from the date of the Plan Commission. Where the plans have not been altered since issuance of the demolition or removal permit and the permit has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 24 months from the expiration date.

Sincerely,

Timothy M. Parks  
Planner

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