



PREPARED FOR THE PLAN COMMISSION

Project Address: 10024 Valley View Road
Application Type: Final Plat
Legistar File ID # [55906](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicant & Property Owner: Chris Ehlers, Veridian Homes; 6801 South Towne Drive; Madison.

Surveyor: Brett Stoffregan, D’Onofrio Kottke & Associates; 7530 Westward Way; Madison.

Requested Actions: Approval of the final plat of *Western Addition to 1000 Oaks*, creating 84 lots for single-family detached residences, eight lots to be developed with four two-family dwelling twin-homes, 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, one outlot to be dedicated for a public alley, one outlot for a private alley, two outlots to be dedicated to the public for stormwater management, and one outlot for future development.

Proposal Summary: The proposed *Western Addition to 1000 Oaks* subdivision will accommodate up to 204 total dwelling units on 93 lots, including 110 units of future multi-family housing to be developed on Lot 363 along Valley View Road following subsequent conditional use approval. The Western Addition to 1000 Oaks will replat southern portions of the adjacent Southern Addition to Birchwood Point subdivision, including relocating platted but unbuilt Old Timber Pass further to the east, the replat of 21 single-family lots in that plat, and the expansion of Birchwood Point Park and an outlot for stormwater management. The eastern edge of the Western Addition development also incorporates outlots for future development in the recently recorded 1000 Oaks Replat No. 2 subdivision. An existing single-family residence and barn/stable will be demolished in order to facilitate development of the subdivision. Development of the subdivision will occur in phases beginning in 2019 following approval and recording of the final plat, with completion anticipated by 2024 based on market demand for units.

Applicable Regulations & Standards: The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations.

Review Required By: Plan Commission and Common Council.

Review Schedule: The State’s subdivision statute, Wis. Stats. Ch. 236, requires that a final plat that conforms substantially to the approved preliminary plat be approved, conditionally approved, or rejected (with stated reasons) within 60 days of submittal unless the time is extended by agreement with the applicant. If no action is taken within 60 days and no extension granted, the plat is deemed approved. The final plat application was submitted to the City on May 8, 2019. Therefore, the 60-day review period for this plat will end circa July 8, 2019.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward the final plat of the “Western Addition to 1000 Oaks” subdivision to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Parcel Location: Approximately 38.26 acres of land located on the north side of Valley View Road, approximately a half-mile west of South Point Road; Aldermanic District 9 (Skidmore); future Madison Metropolitan School Dist.

Existing Conditions and Land Use: The majority of the site is developed with a single-family residence, barn/stable, and agricultural land, which will be demolished to accommodate the proposed subdivision. The portions of the South Addition to Birchwood Point and 1000 Oaks subdivisions adjacent to the site are currently undeveloped. The final plat is zoned TR-P (Traditional Residential–Planned District).

Surrounding Land Use and Zoning:

North: Future single- and two-family residences in the Birchwood Point subdivisions, zoned TR-C3 (Traditional Residential–Consistent 3 District) and TR-P (Traditional Residential–Planned District); single-family residence on a large parcel in the Town of Middleton;

South: Undeveloped agricultural land and single-family residences on large parcels in the Town of Middleton;

East: 1000 Oaks subdivision, including future single-family residences in TR-C3 zoning and Thousand Oaks Park; single-family residence on a large parcel, zoned A (Agricultural District);

West: Future single-family residences in the South Addition to Birchwood Point subdivision in the City; undeveloped agricultural land, Keleny Top Soil, and Olson-Toon Landscaping in the Town of Middleton.

Adopted Land Use Plan: The 2018 [Pioneer Neighborhood Development Plan](#) identifies most of the subject site for residential uses in Housing Mix (HM)1, HM2, and HM3 housing type districts. The portion of the site to be dedicated for stormwater management facility and neighborhood park are generally consistent with areas recommended in the neighborhood development plan for the same.

Environmental Corridor Status: The environmental corridor map shows the general location of stormwater management in the northwestern corner of the Reynolds property within mapped environmental corridor. The parkland and stormwater management dedicated to the City with the Southern Addition to Birchwood Point are also located in the mapped corridor.

Public Utilities and Services: The site will be served by a full range of urban services as it develops with the exception of Metro Transit, which does not currently provide service west of Junction Road. The proposed development is outside Metro Transit's paratransit service area. The closest bus stop with scheduled bus service is over two miles walking distance, and the units would be greater than three-quarters of a mile regulatory distance from all-day service for passengers who might be eligible for door-to-door paratransit service. The pedestrian access between this site and the scheduled bus service, located at S. Junction Road and Watts Road, includes approximately a mile travel along the unimproved shoulder of Valley View Road (posted 45 mph).

Zoning Summary: The following bulk requirements apply in TR-P (Traditional Residential-Planned District):

Requirements for:	Single-family Detached	Two-family-Twin Homes
Lot Area (sq. ft.)	3,500 sq. ft per lot	2,500 sq. ft. per unit
Lot Width	37'	25' per unit

Front yard setback	15'	15'
Maximum Front Yard Setback	No more than 20% greater than block average up to 30' max.	No more than 20% greater than block average up to 30' max.
Side yard setback	5'	5'
Reversed Corner Side Yard Setback	8' (10' for garage)	8' (10' for garage)
Rear yard	Street accessed: 20' Alley-accessed: 2'	Street accessed: 20' Alley-accessed: 2'
Maximum lot coverage	75%	75%
Maximum building height	3 stories/35'	3 stories/35'
Usable open space (sq. ft. per unit)	500 sq. ft.	500 sq. ft.
Other Critical Zoning Items		
Yes:	Utility Easements	
No:	Barrier Free, Urban Design, Wellhead Protection, Floodplain, Landmarks, Waterfront Dev., Adj. to Parkland	
<i>Prepared by: Tim Parks, Planning Division and Jenny Kirchgatter, Assistant Zoning Administrator</i>		

Previous Approvals

On April 10, 2018, the Common Council approved a request to rezone land generally addressed as 10202-10304 Valley View Road from SR-C1 (Suburban Residential–Consistent 1 District) and PR (Parks and Recreation District) to TR-P (Traditional Residential–Planned District) and approved the preliminary plat and final plat of *Southern Addition to Birchwood Point*, creating 130 lots single-family detached residences, 45 two-family twin-homes on 90 (fee simple) lots, two outlots for public parkland, three outlots to be dedicated to the public for stormwater management, five outlots for future development, and two outlots for private open space. The Plan Commission recommended approval of the rezoning and subdivision and approved demolition of a single-family residence at 10202 Valley View Road at its March 19, 2018 meeting. The final plat was recorded on September 5, 2018.

On January 29, 2019, the Common Council approved the preliminary and final plats of *1000 Oaks Replat No. 1* and *1000 Oaks Replat No. 2*, which collectively replatted sections of the adjacent 1000 Oaks subdivision to widen the right of way of Sugar Maple Lane to 80 feet, add a new east-west local street, and reconfigure various lots and outlots in anticipation of the Western Addition subdivision. The final plats were recorded on May 8, 2019.

On April 16, 2019, the Common Council approved 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 and approved 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. The Plan Commission recommended approval of the rezoning and plat and approved a demolition permit to demolish the single-family residence at 10024 Valley View Road at its March 25, 2019 meeting.

Project Description, Analysis and Conclusion

The applicant, Veridian Homes, is requesting approval of the final plat of the “Western Addition to 1000 Oaks” subdivision for a 38.26-acre parcel of land located on the north side of Valley View Road approximately a half-mile west of South Point Road.

The subdivision calls for approximately 200 dwelling units to be developed on 93 lots in TR-P zoning. The proposed lots include 84 lots for single-family detached residences, four two-family dwelling twin-homes on eight lots, and one 4.2-acre lot for the future development of up to 110 multi-family units (per the approved TR-P master plan). The single-family lots will be comprised of 62 street-loaded lots and 22 alley-loaded lots of varying widths and areas. The four two-family twin homes will be alley-loaded buildings on Lots 364-371 on the east side of proposed Blue Crane Run, with access to be provided from a private alley to be located parallel to the eastern rear line of those lots. The future multi-family development is proposed on Lot 363 adjacent to Valley View Road; development of Lot 363 will require separate conditional use approval prior to issuance of building permits.

The proposed single-family lots incorporate six outlots for future development proposed with the recently recorded 1000 Oaks Replat No. 2 subdivision adjacent to the eastern edge of the subject site. The proposed Western Addition to 1000 Oaks subdivision also proposes to replat the southern portions of the Southern Addition to Birchwood Point subdivision on the west side of the final plat, including the relocation of Old Timber Pass further to the east from its previously platted location to facilitate expansion of Birchwood Point Park and an adjacent outlot for stormwater management. Twenty-one single-family lots platted along Old Timber Pass will be replatted with the Western Addition plat.

In closing, the Planning Division has reviewed the final plat of the Western Addition to 1000 Oaks subdivision and believes that it conforms substantially to the approved preliminary plat.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission forward the final plat of the Western Addition to 1000 Oaks subdivision to the Common Council with recommendations of **approval** subject to input at the public hearing and the conditions that follow.

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

Planning Division

1. The applicant shall label the 20-foot platted side yard setback line parallel to Valley View Road for Lots 356 and 364 on Sheet 1 of the final plat.
2. At the request of Madison Gas & Electric, that a ten-foot wide public utility easement be dedicated adjacent to all right of way lines.

3. The final plat shall include a note approved by the Planning Division in consultation with the Traffic Engineering Division that notifies future property owners and residents of the subdivision of the planned future extension of Sugar Maple Lane north of the plat per the adopted Pioneer Neighborhood Development Plan.

The following conditions of approval have been submitted by reviewing agencies:

City Engineering Division (Contact Tim Troester, 267-1995)

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 applicant shall construct a 12-foot wide sanitary sewer access path for the sanitary sewer serving the development. Construct an 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.
7. 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.
8. 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.
9. 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."
10. 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) for review.
11. 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.

12. 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; 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 of Madison General Ordinances.
13. The developer shall construct Madison standard street and sidewalk improvements for all streets within the plat.
14. 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.
15. The developer shall note the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat.
16. 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.
17. 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.
18. The developer shall construct public multi-use path through Outlots 18, 19, 20, and 23 as required by the City Engineer.

City Engineering Division – Mapping Section (Contact Jeff Quamme, 266-4097)

19. 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.
20. 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.

21. 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.
22. 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 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.
23. Outlots 24, 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.
24. 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).
25. 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.
26. The 20-foot wide landscaping easement over Lot 450 of Southern Addition to Birchwood Point shall be released by the homeowners association.
27. 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.

28. Provide private easements or outlots to accommodate the now United States Postal Service (USPS)-required centralized delivery of mail using Cluster Box Units (CBUs). The applicant shall coordinate with the USPS Development Coordinator and City Engineering and Traffic Engineering staff the required locations for the CBUs. CBUs 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, a preliminary plan shall be provided. The final placement of the CBUs shall be determined and all documents recorded for the placement of the CBUs (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.
29. The remnants of the Sanitary Sewer Easements per Document Nos. 4496595 and 5224627 shall be released. 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. Revise the new Sanitary Sewer Easement along the south side of Outlot 19 to be a 15-foot wide easement adjacent to Valley View Road.
30. Sanitary Sewer Easements per Document No. 4474725 shall be released. 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.
31. Two new streets, Lady Bug Lane and Blue Crane Run are acceptable to use and were pre-approved for platted street names.
32. Provide additional easement width along the southern sides of the 25-foot and 20-foot wide Sanitary Sewer Easement within Outlots 20 and 23, making the easement 30 feet in width. Also add an additional a 10-foot wide public sanitary sewer easement area (east of the 30-foot easement) over the north sides of Lots 413-421. In lieu of additional sewer easements, the sewer may be moved southerly within Sugar Maple Lane. Contact Mark Moder of City Engineering if this option is to be pursued.
33. 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. Public utility easements shall not be allowed to run longitudinally within any public sewer easement, but they may cross.
34. All existing and proposed easements shall be fully dimensioned on the final plat.

35. 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.
36. The Temporary Grading Easement per Document No. 5480001 shall be release prior to final sign off.
37. Fully dimension the public storm sewer easement within Outlot 18.
38. Provide a Public Sanitary Sewer Easement over the northerly side of Lot 413 for the existing 18-inch sanitary sewer crossing or near the lot. The southern limit of the easement shall be 12 feet from the center of the pipe.
39. 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.
40. Prior to City Engineering Division final sign-off by the main office for plats, the final plat must be submitted to Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the **final** version of the plat in PDF form is preferred. Transmit the final plat to jrquamme@cityofmadison.com.
41. 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.
42. Add "Part of Lot 1, CSM 13155" to all sheet headers and the legal description.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

This agency reviewed this request and has recommended no conditions of approval.

Traffic Engineering Division (Contact Sean Malloy, 266-5987)

43. 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: 347, 348, 382, 383, 393, 337, 364. Easements are needed between Lots: 343-344, 353-354, 358-359, 388-389, 400-401, 411-412.
44. 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.
45. 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.

Fire Department (Contact Bill Sullivan, 261-9658)

46. 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.

Water Utility (Contact Adam Wiederhoeft, 261-9121)

47. Topography in the vicinity of this development requires pressure management considerations. Coordinate water system design with Madison Water Utility to evaluate pressure mitigation options.

48. 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).
49. 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.
50. 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.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide conditions of approval for this request.

Parks Division (Contact Sarah Lerner, 261-4281)

51. The preliminary plat, as currently proposed includes 84 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 4.16 acres.
52. Previously dedicated parkland that was dedicated as Outlot 28 of South Addition to Birchwood Point, and is being replatted as Outlot 18 of the Western Addition to 1000 Oaks, shall not be credited towards parkland dedication requirements for Western Addition to 1000 Oaks, except as credit for single-family lots that were originally platted as part of South Addition to Birchwood Point.
53. 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.
54. Credits will be given to this plat for the following: the single family units that were originally platted as part of Birchwood Point South, the existing single-family home (credit will be applied to Lot 362), and for the additional 56,891 square feet added to Outlot 18 (former Outlot28).
55. Park-Land impacts fees per MGO Section 20.08(3), shall not be required for this plat. Credit for multi-family units shall be determined as part of the conditional use approval of Lot 363.
56. 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.
57. 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.
58. 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.
59. The applicant shall prominently stake all boundaries and property irons for lands to be dedicated for park purposes.
60. The applicant shall provide soil borings for the expanded outlot dedicated for park purposes.

61. The applicant shall meet all the condition of the previously submitted South Addition to Birchwood Point plat, including installation of a path between lots 432 and 433 of South Addition to Birchwood Point, as stated in the March 12, 2018 staff comments included in Legislative File 50635.
62. 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."
63. 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.) No proposed utilities will be allowed on public parkland without prior approval by the Parks Superintendent or his designee.
 - e.) Provide for graded walking path to be constructed around the stormwater management property within Outlot 18 (previously Outlot 28 of Birchwood Point).

Parks Division – Forestry Section (Contact Brad Hofmann, 267-4908)

64. 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.

Office of Real Estate Services (Lance Vest, 245-5794)

65. Include Owner's Certificate for Mark E. Reynolds and Jeri J. Reynolds. Include Owner's Certificate for VH1000 Oaks, LLC. Include Owner's Certificate for VH Birchwood South, LLC. Prior to approval sign-off, the Owner's Certificate(s) on the FP shall be executed by all parties having an interest in the property, pursuant to Wis. Stats. 236.21(2)(a). Certificates shall be prepared with the ownership interests consistent with the most recent title report. Signatories shall provide documentation that proves legal authority to sign the Owner's Certificate. The executed original hard stock recordable plat shall be presented at the time of sign-off.
66. Include Mortgagee's Certificate for U.S. Bank N.A. Include Mortgagee's Certificate for Y-Not 1, LLC. Include Mortgagee's Certificate for First Business Bank. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to plat approval 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.
67. 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.

68. As of June 14, 2019, there are no 2018 real estate taxes or special assessments reported as due or owing for lands within the plat boundary. 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.
69. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish to Lance Vest (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 (May 22, 2019) 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.
70. 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. In particular, the easements recorded as Document Nos. 487893, 517425, 2370985, and 5448152, if applicable.
 - c.) Note 1 references Document Nos. 54623835, 5462836, 5231816, 5456123, 5462835, 5462833, and 5462834. These documents are not listed or included in the most recent title report. Please ask the title company to include these documents in the updated title report, if applicable.
 - 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.) Include a note on the plat citing the recording data for the release documents including the releases recorded as Document Nos. 5482781, 5482782, 5482783, 5482784, 5482785, 5482786 and 5483068.
 - g.) 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.