



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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February 5, 2020

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

RE: Approval of the preliminary plat and final plat of *1000 Oaks Replat No. 3*, replatting 43 single-family lots (9602-9646 and 9609-9639 Tawny Acorn Drive, 903-923 Quaking Aspen Road, 9606-9632 and 9722-9740 Winter Basil Drive, and 902-922 Cherry Bark Road) into 49 single-family lots. (VH1000 Oaks, LLC, dba Veridian Homes). [ID 58667; LNDSP-2019-00011]

Gentlemen;

At its February 4, 2020 meeting, the Common Council **approved** the preliminary plat and final plat of "1000 Oaks Replat No. 3" subject to the conditions of approval in the following sections, which shall be addressed prior to final approval and recording of the final plat.

**Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following ten (10) items:**

1. The existing stormwater management plan on file shall be reviewed and edited if deemed necessary to reflect the replat.
2. Enter into a City / Developer agreement for the required infrastructure improvements to be executed prior to sign off. Please allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement.
3. The developer shall construct Madison Standard street and sidewalk improvements for all streets within the plat.
4. The developer shall construct sidewalk along South Point Road along plat limits according to a plan approved by City Engineer.
5. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
6. 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.”

7. Madison Metropolitan Sewerage District (MMSD) 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.
8. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat, the applicant shall contact either Tim Troester at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley at 261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
9. Submit proposed lot corner grades with the stormwater management plan as these two items must be reviewed together to properly determine stormwater overflow conditions. Prior to the issuance of building permits, submit a master stormwater drainage plan with final as-built lot corner grades. These grades may be modified from the originally proposed grades provided they continue to meet design tolerances. No building permits shall be issued prior to City Engineering's final approval of this plan.
10. Install a property boundary witness markers along the boundary of lands dedicated for public stormwater purposes at property corners or in locations that are mutually agreeable to the applicant and Engineering Division.

**Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have any questions regarding the following eleven (11) items:**

11. All portions of the Public Utility Easements to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) to coordinate the Real Estate project, and associated information and fees required. The releases by the City and the Public Private Utilities serving this plat are required prior to recording of the plat. Acknowledgement of the release and document number shall be noted on the face of the plat.
12. A private easement to accommodate the current USPS-required centralized delivery of mail using Cluster Box Units (CBUs) is noted on the plat. The applicant shall coordinate and provide documentation from the USPS Development Coordinator, City Engineering and Traffic Engineering staff confirming the required locations for the CBUs serving this plat. CBUs serving this plat will not be permitted within any publicly owned or dedicated lands. A revised draft of the CBU owner's agreement acknowledging the revised lots shall be required prior to the recording of the final plat. The revised agreement shall be recorded immediately after the final plat has been recorded.
13. Add a note as follows: “The 30-foot wide Private Landscaping Easement on Lots 328, 349 - 355 inclusive, is subject to and subservient to the uses, terms and conditions of the existing Temporary

Grading Easements, Public Utility Easements and Public Sanitary Easements as noted on the face of this plat.” Add text to the label for the landscaping easement to see the corresponding note.

14. Label on the face of the plat along the lot lines shared with Outlot 8 of First Addition to 1000 Oaks and CSM 13155 that those Lots are subject to the requirements of Document No. 5231816.
15. Add a note that all lots within this plat are subject to Declaration of Conditions, Covenants and Restrictions recorded as Document No. 5231817.
16. Add a note that this plat is subject to Declaration of Conditions and Covenants recorded as Document Nos. 5376979 and 5411904.
17. Label South Point Road on the face of the plat.
18. Retitle the Legal Description on sheet 1 as the Surveyor's Certificate.
19. 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](mailto: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.
20. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject plat one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work shall be void of gaps and overlaps and match the final recorded plat: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland & floodplain boundaries).  
  
\*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat and electronic data for any changes to the plat which occur subsequent to any submittal of data.
21. Prior to City Engineering Division final sign-off by main office for the plat, the final plat must be submitted to the Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two (2) working days prior to final Engineering Division sign-off. Electronic mail submittal of the FINAL plat in PDF form is preferred. Transmit to [jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com).

**Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following two (2) items:**

22. Prior to final sign-off, the applicant shall work with the Traffic Engineering Division Electrical Section to record the necessary easements for streetlights. Typically, Traffic Engineering requires a 12-foot easement between lots and 6-foot easements on corner lots where streetlights are needed. Easements are needed on: Lots 349, 348, 205, and 364. Easements are needed between lots: Lots 337-336, 333-332, 342-343, 346-347, 373-374, 352-353, 187-186, 183-182, 355-228, 358-357, 362-361, 244-243, and 249-248.
23. The applicant shall add a note to the Plat stating no driveway shall be constructed that interferes with the orderly operation of the pedestrian walkway. This will require all pedestrian ramps to be constructed separate from driveway entrances; a curb-head of no less than six (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 Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:**

24. 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)." 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 item:**

25. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the West Park-Infrastructure Impact Fee district. Please reference ID# 08115.4 when contacting Parks Division staff about this project.

**Please contact Brad Hofmann of the City Forestry Section at 267-4908 if you have any questions regarding the following item:**

26. 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.

**Please contact Lance Vest of the Office of Real Estate Services at 245-5794 if you have any questions regarding the following ten (10) items:**

27. Prior to approval sign-off, the Owner's Certificate(s) on the final plat shall be executed by all parties having an interest in the property, pursuant to Wis. Stats. 236.21(2)(a). Certificates shall be prepared with the ownership interests consistent with the most recent title report. Signatories shall provide documentation that proves legal authority to sign the Owner's Certificate. The executed original hard stock recordable plat shall be presented at the time of sign-off.
28. 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.
29. 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.
30. Revise the County Treasurer certificate to reflect the year 2020.
31. Include a space for recorded page numbers in the Register of Deeds certificate.
32. As of January 10, 2020, 2019 real estate taxes remain due for the subject property. Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to Plat recording. This includes property tax bills for the prior year that are distributed at the beginning of the year. Receipts are to be provided on or before sign-off and checks are payable to: City of Madison Treasurer; 210 Martin Luther King, Jr. Blvd.; Madison, WI 53701.
33. As of January 10, 2020, there are no special assessments reported due for the parcels within the plat boundary. Pursuant to MGO Section 16.23(5)(e)1 and Wis. Stats. 236.21(3), all special assessments, including accrued interest in the case of delinquencies, shall be paid by the owner prior to plat approval sign off. Receipts for payment shall be provided to the City's Office of Real Estate Services in advance of plat approval sign-off.
34. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish to Lance Vest in the City's Office of Real Estate Services ([lvest@cityofmadison.com](mailto:lvest@cityofmadison.com)), as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (November 15, 2019) and the date when sign-off of the final plat 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.
35. Initiate requests to all applicable utilities to record releases of their interests in utility easements in underlying plats or CSMs, 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.

36. 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 File ID 29183, Resolution 13-00247, adopted April 16, 2013.

**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.

Sincerely,

Timothy M. Parks  
Planner

cc: Tim Troester, City Engineering Division  
Jeff Quamme, City Engineering Division – Mapping Section  
Sean Malloy, Traffic Engineering Division  
Bill Sullivan, Madison Fire Department  
Sarah Lerner, Parks Division  
Brad Hofmann, City Forestry  
Jenny Kirchgatter, Assistant Zoning Administrator  
Lance Vest, Office of Real Estate Services