



Department of Planning & Community & Economic Development

Planning Division

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

December 1, 2020

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

RE: Approval of an amendment to the TR-P (Traditional Residential–Planned District) Master Plan for the Village at Autumn Lake subdivision and approval of the preliminary plat and final plat of *Village at Autumn Lake Replat No. 5*, replatting 104 lots approved for 98 future single-family residences and three two-family dwellings on six lots into 86 single-family lots, 48 lots for 24 two-family twin home dwellings, and three outlots for private open space (VAL, LLC dba Veridian Homes). [ID 62873 and 62131; LNDSP-2020-00007]

Gentlemen;

At its November 17, 2020 meeting, the Common Council **approved** the preliminary plat and final plat of *Village at Autumn Lake Replat No. 5* subject to the conditions of approval in the following sections, which shall be addressed prior to final approval and recording of the final plat. The Plan Commission **approved** the amended TR-P master plan at its November 9, 2020 meeting.

Please contact Brenda Stanley of the City Engineering Division at 261-9127 if you have questions regarding the following seventeen (17) items:

1. Each lot shall have a separate sanitary sewer lateral.
2. Proposed Lots 1147-1164 shall either be provided sewer service through proposed Outlot 71 alley or through the private park on Outlot 70. If the private park is to be utilized, the applicant shall dedicate a 15-foot wide sanitary sewer easement as a condition of plat approval.
3. This replat increases the density and runoff that can be expected from this portion of the development. The applicant shall provide calculations to show that the existing facilities can accept the additional flow and/or provide new designs/measures to show the previously required standards are met.
4. Enter into a City / Developer agreement for the required infrastructure improvements. The agreement shall be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.

5. The developer shall construct Madison Standard street, multi-purpose, and sidewalk improvements for all streets fronting the plat.
6. Make improvements to Felland Road to consist of four feet of pavement, curb and gutter, terrace, and multi-use path/sidewalk as required by the City Engineer.
7. Make improvements to Felland Road in order to facilitate ingress and egress to the development. The improvements may include entrance/exit tapers and/or a left-turn lane as required by City Traffic Engineer.
8. This development is subject to impact fees for the Felland Road Neighborhood Sanitary Sewer Improvement 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 plat: "Lots/ buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued."
9. Madison Metropolitan Sewerage District (MMSD) 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.
10. 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).
11. An Erosion Control Permit is required for this project.
12. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151; however, a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or the Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.
13. 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.

14. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
15. Demonstrate compliance with MGO Section 37.07 and 37.08 regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
16. This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Madison-Dane County Public Health, and/or City Engineering Division approvals may be required prior to the issuance of the required Erosion Control Permit.
17. 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.

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have any questions regarding the following ten (10) items:

18. The public sanitary sewer and water main easement over Outlot 58 and the Public Utility Easements that are required to be released for this replat shall be released by separate document prepared by the City's Office of Real Estate Services (ORES). 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 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.
19. The portions of the access restriction, building setback restriction and temporary limited easement (TLE) for Grading necessary for the new intersection of Sanctuary Drive with Felland Road being further south shall be released by separate document prepared by the 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 ORES project. ORES staff will then administer the release document(s) and record with the Dane County Register of Deeds. 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.

Also dimension the location of the existing easements and restrictions and the newly granted locations of the restrictions and easements on the plat.

20. This replat requires the vacation and discontinuance of platted public right- of-ways of Kayak Lane, Sanctuary Drive and the public alley being Outlot 56 of the Village at Autumn Lake Replat. 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 of said right of ways shall be conditioned within the Resolution upon the conditions of approval for the final plat of Village at Autumn Lake Replat No. 5 being met to the satisfaction of the City of Madison Engineer.
21. 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.
22. Provide private Easements or Outlots to accommodate the current United States Postal Service (USPS) required centralized delivery of mail using Cluster Box Units (CBUs). Applicant shall coordinate with the USPS Development Coordinator, City Engineering and Traffic Staff the required locations for the CBUs. CBUs serving this plat will not be permitted within any publicly owned or dedicated lands. 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. If the Developer is not able to determine the final locations prior to recording the final plat, 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.
23. 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. Note: Land tie to two PLS corners required.
24. 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 and floodplain boundaries).

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

25. 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 [jqumme@cityofmadison.com](mailto:jrqumme@cityofmadison.com).
26. Add notes 8, 10 and 15 from the Village at Autumn Lake Replat to this plat.
27. The public sidewalk easement labels on the map shall be updated to match the title for the Public Sidewalk and Bike Path Easement text on sheet 3.

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

28. 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 between Lots 1055-1056, 1080-1079, 1021-1020, 1066-1065, 1068-1069, 1041-1040, 1015-1014, 1031-1030, 1009-1007, 958-957, 953-954, 1005-1006, 994-993, 989-990, 975-974, 973-971, 937-938, 909-908, 910-911, 1206-1210, 1202-1203, 1143-1142, 1132-1133, 772-771, 768-767, 764-OL 34, 240-OL 16, 238-237-234-OL 16, 754-753, 750-749, 747-OL 52, 744-743, 740-739, 816-815, 737-736, 797-798, 802-803, 810-811, 686-685, 1193-OL 55, 698-OL 47, 691-692, 1246-1247, 1215-1214, 1210-1209, 1202-1203, 1190-1189, 1170-1169, 784-OL 55, 1176-1175, 782-783, and 1132-1133. Easements needed on the corner of Lots 1057, 1071, 1038, Outlot 64, 1016, 1026, 1002, 1004, 960, 971, Outlot 46, 696, 1206, 1146, 1147, 1181, Outlot 34, 757, Outlot 52, 818, 799, Outlot 47, 684, 1165, and 1194.
29. 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:

30. 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 Ann Freiwald of the Parks Division at 243-2848 if you have any questions regarding the following two (2) items:

31. 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(6) will be required for all new residential development associated with this project. This development is within the North Park-Infrastructure Impact Fee district. Please reference ID #12118.4 when contacting Parks Division staff about this project. The Parks Division will be required to sign off on this subdivision.
32. 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." The Parks Division shall be required to sign off on this subdivision prior to recording.

Please contact Andy Miller of the Office of Real Estate Services at 261-9983 if you have any questions regarding the following nine (9) items:

33. Prior to approval sign-off by the Office of Real Estate Services ("ORES"), all parties having an interest in the property, pursuant to Wis. Stats 236.21(2)(a), shall execute the Owner's Certificate on the plat. 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. When possible, the executed original hard stock recordable plat shall be presented at the time of ORES approval sign-off. If not possible, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the plat containing electronic signatures shall be provided to ORES prior to obtaining approval sign-off.
34. 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 the plat is signed electronically, a PDF of the plat containing electronic signatures shall be provided to ORES to obtain approval sign-off.
35. If a mortgage or other financial instrument is reported in record title, but has been satisfied or no longer encumbers the lands or ownership within the plat boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to plat approval sign-off.
36. 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.
37. If any portion of the lands within the plat boundary are subject to an Option to Purchase or other Option interest please include a Certificate of Consent for the option holder and executed prior to approval sign-off.
38. As of October 30, 2020, real estate taxes are paid for the subject property. Should taxes become due prior to plat recording, under 236.21(3) Wis. Stats. and MGO 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.

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, Wisconsin 53701

39. As of October 30, 2020, there are no special assessments reported for the parcels within the plat boundary. Pursuant to Madison City Ordinance 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 ORES in advance of final plat approval sign-off.
40. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish to Andy Miller in the City's Office of Real Estate Services (acmiller@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 (July 17, 2020) 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.
41. The following revisions shall be made to the final plat prior to final approval and recording:
- a) Depict, dimension, name, note and/or identify by document number all relevant easements, declarations, plans, conditions, agreements, and other documents cited in record title and the updated title report, and include relevant notes from plats or CSMs of record.
 - b) 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.
 - c) For properties not connected to municipal utility services, consider whether or not well abandonment ref. NR-141 needs to be addressed.
 - d) 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.
 - e) Record satisfactions or releases for all recorded instruments that encumber or benefit the subject lands, if all interested parties agree that the purpose for such instrument is no longer necessary or relevant for the purposes of the land division.
 - f) 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.
 - g) Include the following sentence with the dedicated utility easements depiction in the plat Legend: Utility Easements as herein set forth are for the use of public bodies, as well as private utilities having the right to serve the area.

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

42. The screening plan previously approved for the 30-foot rear setback for the Felland Road frontage shall be revised to reflect the replat. The note regarding the planting and maintenance of the buffer strip from the current plat shall be added to the proposed final plat. The 30-foot area shall be maintained by the owners of those lots or the homeowner's association. The plantings on the approved buffer plan shall be shown on the site plans submitted with building permit applications submitted for each lot.
43. That the final plat be revised to include a building setback line on Lots 1147-1164 measured 15 feet from the common lot line of those lots with proposed Outlot 70.
44. Any revisions to TR-P master plan and related restrictive covenants address the single-family dwelling and two-family twin home types being introduced with the proposed TR-P master plan amendment shall be approved by the Planning Division prior to recording of the final plat.

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

Timothy M. Parks
Planner

cc: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division – Mapping Section
Sean Malloy, Traffic Engineering Division
Bill Sullivan, Madison Fire Department
Ann Freiwald, Parks Division
Andy Miller, Office of Real Estate Services