



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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July 26, 2021

Paul Knudson  
Vierbicher Associates, Inc.  
999 Fourier Drive, Suite 201  
Madison, WI 53717

RE: LNDCSM-2021-00015; Legistar ID 65657 – Certified Survey Map – 575 Zor Shrine Place

Dear Paul Knudson;

Your three-lot certified survey of property located at 575 Zor Shrine Place, Section 26, Township 07N, Range 08E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned TR-U2 (Traditional Residential – Urban 2 district) and SE (Suburban Employment district). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

**Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following eight (8) items:**

1. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
2. Construct 10' multi-use path along southern lot line of Lots 1, 2 & 3. Construct 10' multi-use path along western lot line of Lot 2.
3. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
4. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 261-1995 ([ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com)) or Brenda Stanley (East) at 608-261-9127 ([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 and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)
5. The approval of this zoning approval does not include the approval of the changes to roadways, sidewalks or utilities. Obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by

developer. The City Engineer shall complete the final plans for the restoration with input from the developer. (MGO 16.23(9)(d)(6))

6. Execute a waiver of notice and hearing on the assessments for the improvement of the future east west roadway in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO. (MGO 16.23(9)(d)(6))
7. The proposed parcels within this development (and/or adjacent to) are dependent on each other for overland and subsurface storm water drainage. A private Storm Sewer/Drainage Easement/Agreement for all parcels within (and/or adjacent to) this development shall be drafted, executed and recorded prior to building permit issuance.
8. The applicant shall add a note to the CSM stating that all lots are subject to the stormwater requirements of MGO 37 at the time of development/redevelopment.

**Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following eighteen (18) items:**

9. Insert text within Outlot 1 of the Certified Survey stating that the Outlot is reserved for a future public street right of way dedication at no cost to the City. Add a note that the Outlot shall also be subject to a separately recorded agreement between the City and the Owner setting forth the restrictions of use within the Outlot and the conditions / requirements of the future dedication when required by the City. Revise Note 4 on sheet 3 accordingly acknowledging the reservation for future dedication. Contact Jeff Quamme to coordinate the needs and fees for the Real Estate project necessary to draft, administer and record the agreement for the future dedication of OL 1.
10. Grant a new Public Sanitary Sewer and Storm Sewer Easement(s) to the City on the face of the Certified Survey Map for the sanitary and storm sewer improvements within this site and to be relocated as part of this project. or Subdivision Plat with the following conditions. Coordinate the final configuration of the easements with Engineering staff. Contact Jeff Quamme for the required Easement text to be placed on the Certified Survey setting forth the terms and conditions for the easements.
11. Grant a 20' Public Sidewalk and Bike Path Easement(s) to the City along southern lot line of Lots 1, 2 & 3 and along western lot line of Lot 2 centered on the paths are to be constructed on the face of the Certified Survey Map. Coordinate the final configuration of the easements with Engineering staff. Contact Jeff Quamme for the required Easement text to be placed on the Certified Survey setting forth the terms and conditions for the easements.
12. Grant a Permanent Limited Easement for grading and sloping 10 feet wide along northern lot lines of Lots 1 & 2. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) for easement language.
13. The existing Public Storm Sewer and Sanitary Sewer Easement per Doc No's 1682775 and 2058110 shall be released by separate document prepared by City Office of Real Estate Services after the facilities have been relocated and subsequently accepted by the City of Madison. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) to coordinate the Real Estate project, and associated information and fees required.

14. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management that are necessary to accomplish the land division or site development as proposed prior to final sign off. The document (s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.
15. Dimension the Private Sanitary Sewer and Storm Sewer Easements on the CSM per Document No 1827453 as they are not described with arcs parallel to the Right of Way of the West Beltline Highway.
16. Remove note 4 on Sheet 3. The roads and utilities have been completed and references a TIF District that would have closed years ago.
17. The Easement Area per Document No 3837699 shall be noted it is also subject to a WP&L General Utility Easement as per Document No's 1682775 & 2058110.
18. Add text to the note for the Sanitary Sewer and Storm Sewer Easement per Document No 2058110 that it is to be released by separate recorded document upon the relocation and acceptance of relocated Public Storm and Sanitary Sewer Facilities.
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 (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com)
20. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
21. Modify the Access Note along the Beltline to "No Vehicular Access Permitted to adjacent West Beltline Highway. Access is restricted by the Wisconsin Department of Transportation.
22. Add recorded as information to Curve no's C1 and C5 on sheet 2.
23. Add a note to Sheet 4 to see Note 3 on sheet 3 regarding the existing improvements.
24. Outlot 1 will be reserved for a future public street. Concurrent with the LNDUSE-2021-00047 review, the drive shall be named as a private street. Provide street name suggestions to Lori Zenchenko (LZenchenko@cityofmadison.com) for review and approval.
25. This Certified Survey Map shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or early start permit.

26. Submit to Jeff Quamme, prior to 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:

- a) Right-of-Way lines (public and private)
- b) Lot lines
- c) Lot numbers
- d) Lot/Plat dimensions
- e) Street names
- f) Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)

NOTE: This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data for any changes subsequent to any submittal.

**Please contact Ann Freiwald of the Parks Division at 243-2848 if you have any questions regarding the following four (4) items:**

27. 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 21018 when contacting Parks about this project.

28. The following note should be included on the CSM: "LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED."

29. Prior to sign off on the CSM the applicant shall execute a declaration of conditions and covenants for impact fees.

30. The Parks Division shall be required to sign off on this CSM.

**Please contact Melissa Hermann of the Office of Real Estate Services at 264-9297 if you have any questions regarding the following sixteen (16) items:**

31. Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report. If ownership of the lands within the CSM boundary will be transferred prior to CSM recording, evidence of the new ownership shall be provided to ORES prior to CSM approval sign-off. When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

32. Prior to CSM approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s).
33. 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 CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to CSM approval sign-off.
34. All ownership consents and certifications for the subject lands shall conform to Wis. Stats. 236.21(2) and 236.29 by including the language ...surveyed, divided, mapped and dedicated....
35. If any portion of the lands within the CSM 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 CSM sign-off.
36. A Consent of Lessee certificate shall be included on the CSM for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to CSM sign-off.
37. Madison Common Council Certificate: This certificate is required when dedication of land and the conveyance of rights in land are required. For parcels located within the City of Madison, a Madison Common Council Certificate shall appear as follows:

Resolved that this certified survey map located in the City of Madison was hereby approved by Enactment Number \_\_\_\_\_, File ID Number \_\_\_\_\_, adopted on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2021

\_\_\_\_\_  
Maribeth L. Witzel-Behl, City Clerk  
City of Madison, Dane County Wisconsin

38. City of Madison Plan Commission Certificate: Pursuant to Madison City Ordinance Section 16.23(7)(d)3 and Wis. Stats. 236.21(2)(a), all CSM's that are subject to the review and approval of the City of Madison shall contain the following certificate of approval:

Approved for recording per the Secretary of the City of Madison Plan Commission.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Matthew Wachter, Secretary of the Plan Commission

39. Register of Deeds Certificate: Please include a space for the Register to hand write the recording info on the date of recording, to appear similar to the following:

Office of the Register of Deeds  
Dane County, Wisconsin  
Received for recording on \_\_\_\_\_, 20\_\_ at \_\_\_\_ o'clock \_\_M, and

recorded in Vol. \_\_\_ of CSMs on page(s)\_\_\_\_\_, Document No.\_\_\_\_\_.

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Kristi Chlebowski, Register of Deeds

40. As of June 15, 2021, there is a special assessment from 2019 of \$341.72. All known special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1. In lieu of this requirement, the owner may present written documentation from the City's Board of Public Works that the special assessments may be continued to be paid on the installment basis authorized by the Board of Public Works. However, if lands within the CSM boundary are to be dedicated, the special assessments levied against the dedicated lands are to be paid in full.
41. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to ORES via email to Melissa Hermann (mhermann@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (xx-xx-xx) submitted with the CSM application and include all associated documents that have been recorded since the initial title report. A title commitment may be provided, but will be considered only as supplementary information to the title report update. Surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.
42. Depict, name, and identify by document number all existing easements cited in record title and the updated title report. The title report includes easement of record that are not depicted on the CSM. Either depict and/or note said easements, or provide evidence of their release.
43. Include a complete and accurate legal description of the lands that are to be included in the proposed CSM. The legal description shall be reconciled with the legal description of said lands in record title.
44. Depict and dimension all existing improvements including, but not limited to: buildings, drives, parking lots, encroachments, wells, septic systems, etc. located within the CSM boundary.
45. Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.
46. If all parties of interest agree that certain easements from prior plats or CSM's of record are no longer necessary, the release documents for said easements shall be recorded prior to CSM approval sign-off, with the recording information for the release included as a Note on the proposed CSM.

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

**A resolution approving the CSM and authorizing the City to sign it and any other documents related to the proposed land division was reviewed by the Common Council at its July 20, 2021 meeting.**

Prior to City Engineering final sign-off by the main office of the CSM, the final CSM shall be submitted to the 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 signoff. E-mail submittal of the final CSM in PDF form is preferred. Transmit to [jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com).

As soon as the comments and conditions have been satisfied, the original along with the revised Certified Survey Map, with all signatures and approvals from the reviewing agencies, shall be brought to this office for final signoff. You or your client may then record the certified survey at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 266-4141.

Any appeal from this action, including the conditions of approval, must be filed with the Circuit Court within 30 days from the date of this letter. **The approval of this CSM shall be null and void if not recorded in twelve (12) months from the date of the approving resolution or this letter, whichever is later.**

If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 243-0455.

Sincerely,

A handwritten signature in black ink, appearing to read "Colin Punt", with a stylized flourish at the end.

Colin Punt  
Planner

cc: Tim Troester, City Engineering Division  
Jeff Quamme, City Engineering Division–Mapping Section  
Ann Freiwald, Parks Division  
Melissa Hermann, Office of Real Estate Services