



**Project Address:** 4711 Eastpark Boulevard (17<sup>th</sup> Alder District – Alder Madison)  
**Application Type:** Preliminary Plat and Final Plat Referral  
**Legistar File ID #** [77938](#)  
**Prepared By:** Colin Punt, Planning Division  
Report includes comments from other City agencies, as noted.  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant:** John Schulz; Rueker & Mielke, Inc.; 4639 S Biltmore Lane; Madison, WI 53718

**Owner:** Jane Grabowski-Miller; American Family Mutual Insurance Company SI; 6000 American Parkway; Madison, WI 53783

**Requested Action:** Consideration of a Preliminary Plat and Final Plat to create two lots.

**Proposal Summary:** The applicant is seeking approval to create two new lots by plat for future development

**Applicable Regulations & Standards:** Section 16.23 MGO provides the process and standards for land divisions.

**Review Required By:** Plan Commission, Common Council

**Summary Recommendations:** The Planning Division recommends that the Plan Commission forward the Preliminary Plat and Final Plat to create two lots to the Common Council with a recommendation of approval subject to the conditions from reviewing agencies beginning on page 3.

## Background Information

**Parcel Location:** The subject site is a proposed 3.4-acre lot located west of Eastpark Boulevard approximately 1000 feet south of North Biltmore Lane. It is within Alder District 17 (Ald. Madison) and the De Forest School District.

**Existing Conditions and Land Use:** The subject site, which is zoned SEC (Suburban Employment Center District), is currently undeveloped.

### Surrounding Land Uses and Zoning:

**North:** A vacant developable lot zoned SEC (Suburban Employment Center district);

**East:** Across Eastpark Boulevard, a vacant lot recently approved for multifamily residential development zoned TR-U2 (Traditional Residential – Urban 2 district).

**South:** A proposed vacant developable lot, with a 4-story office building beyond zoned SEC; and

**West:** Interstate Highway 39/90/94.

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2018) recommends Employment (E) for the subject site. The [Rattman Neighborhood Development Plan](#) recommends Employment/Office uses for the site.

**Zoning Summary:** The subject property is zoned SEC (Suburban Employment Center District):

**Environmental Corridor Status:** Small portions along the northeast edges of both proposed lots are within a mapped environmental corridor.

**Public Utilities and Services:** The site is served by a full range of urban services.

**Related Approvals:** A conditional use for a hotel on proposed Lot 56 was approved by the Plan Commission on June 26, 2023 (ID [77939](#)). The applicant intends to begin construction of the hotel in August 2023, with completion by summer 2024.

## Project Description

The applicants are seeking to create two new lots by subdividing Lot 42 of the American Center plat into lots 56 and lot 57. Proposed Lot 56 is the 3.4 acres in the northeast corner of existing Lot 42. A four-story 124-room hotel with 134 surface vehicle parking stalls has been approved for proposed Lot 56 by Plan Commission. The larger (11.53 acres) Lot 57 will remain undeveloped as of this time.

## Analysis & Conclusion

This request is subject to the standards land divisions. This section begins with adopted plan recommendations, then provides a review of the land division standards before providing a conclusion and recommendation.

### Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Employment (E) for the subject site. Employment areas include predominantly corporate and business office, research facilities, laboratories, hospitals, medical clinics, and other similar uses. The [Rattman Neighborhood Development Plan](#) similarly recommends Employment/Office uses for the site.

### Land Division Standards

With the recommended agency conditions, staff believes that the Plan Commission may find the standards for land divisions (16.23 MGO) approval met with the proposed Preliminary Plat and Final Plat with the staff-recommended conditions. The proposed lot will meet the minimum lot width and area requirements in the SEC district, and staff believes that the proposal is consistent with the recommendations for the site in the [Comprehensive Plan](#) and the [Rattman Neighborhood Development Plan](#).

### Conclusion

Staff believes that the Plan Commission can find the standards of approval for land divisions can be met.

At time of report writing, staff is not aware of any public comment received regarding this request.

## Recommendation

### Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends that the Plan Commission forward the Preliminary Plat and Final Plat to create two lots to the Common Council with a recommendation of approval subject to the conditions from reviewing agencies below.

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

### City Engineering Division (Contact Brenda Stanley, 261-9127)

1. 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))
2. 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) or Brenda Stanley (East) at 608-261-9127 (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 and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)

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

3. Add a note that lands within this subdivision are subject to the Amended Declaration of Easements and Maintenance Agreement for Private Drive, Secondary Access Road North and South Drive Lanes and Plaza per Document No 5705050. Applicant should consider an amendment to this agreement after the recording of the plat to remove the Lot 57 area from the agreement.
4. Add text to Note 5 that 2379020 is subject to a revision per Document No. 2379020.
5. 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)
6. 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.
7. Add text to the labels of the Ingress/Egress Area 3 Easement that it is as Amended and Replaced by Document No. 5705050
8. Move the bearing reference language to be next to the north arrow.

9. Correct the Lot numbers in note 9 to Lots 56 and 57.
10. Correct the page headers and the header for the legal description, this plat does not include all of Lot 1 of CSM 15252, it includes part of the Lot. The previous plat moved the southerly most line.
11. Remove the monument symbol at the computed location at the North Quarter Corner of Section 22. Unless there is now a brass monument.
12. Note that the subdivision east of this plat may change with recently submitted plats that may be recorded prior to final approval of this plat.
13. This plat 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.
14. 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, preferably closed polylines for lot lines, 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.

**Office of Real Estate Services** (Contact Heidi Radlinger, 266-6558)

*Please note that the City's Office of Real Estate Services is reviewing the report of title provided with this survey and may have comments. That office will send any comments separately. If you have any questions, please contact Heidi Radlinger at (608) 266-6558 for more information.*

15. Prior to approval sign-off by the Office of Real Estate Services, the Owner's Certificate on the Plat shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a).
16. Per 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes that may become due prior to Plat recording. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off. Any special assessments shall also be paid in full pursuant to Plat Section 16.23(5)(g)1.
17. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger (hradlinger@cityofmadison.com), as well as the survey firm preparing the proposed Plat. The report shall

search the period subsequent to the date of the initial title report submitted with the Plat 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. The surveyor shall update the Plat 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 Plat.

*The Planning Division, Office of the Zoning Administrator, Traffic Engineering Division, Parks Division, Forestry Section, and Water Utility have reviewed this request and recommended no conditions of approval.*