



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

Madison Municipal Building, Suite 017
215 Martin Luther King Jr. Boulevard
Madison, Wisconsin 53703
Phone: (608) 266-4635
www.cityofmadison.com

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

December 8, 2023

Mark Pynnonen
Birrenkott Surveying
PO Box 237
1677 N Bristol Street
Sun Prairie, Wisconsin 53590

RE: Consideration of a request to rezone a portion of 3002-3020 Meier Road from A (Agricultural District) to IL (Industrial–Limited District); and consideration of a Certified Survey Map (CSM) to create one lot in IL zoning and one outlot in A zoning (The Estate of William C. Blatterman and Blatterman 1, LLC; Representative: Heather Carow) [LNDCSM-2023-00035; ID 80637 & 80234]

Dear Mark;

At its December 5, 2023 meeting, the Common Council **approved** the rezoning and Certified Survey Map of property located at 3002-3020 Meier Road subject to the conditions of approval in the following sections, which shall be addressed prior to final approval and recording of the CSM.

Please contact Brenda Stanley of the City Engineering Division at (608) 261-9127 if you have questions regarding the following three (3) items:

1. A minimum of two (2) working days prior to requesting City Engineering signoff on the 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).
2. Add the following note to the CSM: "Each lot shall be individually responsible for compliance with MGO Chapter 37 requirements."
3. Add the following note to the CSM: "No change in grades shall be allowed without the approval of the City Engineer."

Please contact Jeffrey Quamme of the City Engineering Division–Mapping Section at (608) 266-4097 if you have questions regarding the following fourteen (14) items:

4. The applicant shall dedicate 7 feet of right of way for Meier Road as required by the Traffic Engineering Division.

5. Add the note from Sheet 1 of CSM 11930 regarding additional drainage not being allowed without approval to the North and West of the CSM. Include the CSM and document number in the text of the note placed on this CSM.
6. Correct the CSM number from 119302 to 11930 in all headers of each sheet and the legal description under the Surveyor's Certificate.
7. The portion of Old Meier Road vacated per Document No. 3948865 is the portion located in the NE 1/4 of the SE 1/4 of Section 23 and not part of this CSM. The portion within the SE 1/4 of the NE 1/4 is per Document No. 4018356 is within this CSM. Remove '3948865' from the headers of the sheets and legal description. Fix the notes in the southeast corner of the CSM to correctly note the two different vacation areas on each side of the Quarter Line.
8. The portion of Lot 1 that includes a part of Lot 1 of CSM 2951, per the title report, is subject to a mortgage per Document No. 2952209 modified by Document No. 3092943. Provide documentation of this area being released from the mortgage or the Mortgagee may need to execute a consent of corporate mortgagee certificate on the CSM.
9. Per the title report, there is a triangular portion of this CSM that still has title owned by William Blatterman per Document No. 3806752. After CSM 11930 was recorded, there was not a conveyance of interest made for this separate area. This creates a divided ownership interest within the CSM. Title to each parcel cannot have a divided interest and needs resolution.
10. Outlot 1 shall have a restriction restricting it from further development until it is included as part of a future land division approved by the City of Madison.
11. Conditions of approval noted herein are not intended to be construed as a review determining full compliance with Madison General Ordinances and State of Wisconsin Statutes. The licensed professional preparing the land division is fully responsible for full compliance with all ordinances and statutes regulating this proposed land division.
12. Add compliance with the City of Madison subdivision ordinance to the Surveyor's Certificate.
13. Correct on the map CSM no. 8865 to CSM No. 2951 and in the legal description. Also the second to last course in the legal description has an incorrect bearing.
14. Remove note 6 on sheet 2; these restrictions apply when Dane County and the Town of Blooming Grove have jurisdiction. The property is now in the City of Madison.
15. 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 any required U.S. public land survey monument record provided to the County Surveyor's Office, or, in instances where a public the monuments and witness ties area recovered under A-E 7.08(1g), the Surveyor shall provide to the City of Madison monument condition reports (with current

tie sheet attached) for all Public Land Survey monuments, including center of sections of record, used in this survey, to Julius Smith (JSmith4@cityofmadison.com) of City Engineering, Land Information.

16. Prior to Engineering Division final sign-off by main office for Certified Survey Maps, the CSM shall be submitted in PDF format by email transmittal to Engineering Land Records Coordinator Julius Smith (jsmith4@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.
17. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject CSM, 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 CSM: 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, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any submittal.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following item:

18. The applicant shall be made aware that Outlot 1 of this CSM is located within the proposed area for a future east-west street in the Yahara Hills Neighborhood Development Plan.

Please contact Jenny Frese of the Office of Real Estate Services at (608) 267-8719 if you have any questions regarding the following eight (8) items:

19. 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. 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.
20. 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). 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.
21. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest, include a Certificate of Consent for the option holder and have it executed prior to

CSM sign-off if said ownership interest meets the criteria set forth by Wis. Stats. Sec. 236.34 and Sec. 236.21(2)(a).

22. 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.
23. Per 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 CSM recording. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off.
24. 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 MGO Section 16.23(5)(g)1.
25. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report via email to the Office of Real Estate Services prior to final approval, as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the initial title report submitted with the CSM application and include all associated documents that have been recorded since the initial title report. A copy of the vesting deed shall be included with the updated 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 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.
26. The Office of Real Estate Services is still reviewing the proposed CSM and title report and may have additional comments to be addressed by the applicant prior to final approval and recording of this CSM.

Please contact my office at (608) 261-9632 if you have questions about the following five (5) items:

27. Prior to final approval of the Certified Survey Map (CSM) for recording, revise Sheet 1 to designate a use for Outlot 1, subject to approval by the Planning Division. Outlot 1 shall have a restriction restricting it from further development until it is included as part of a future subdivision or land division approved by the City of Madison.
28. Revise the CSM to label and dimension the three buildings on proposed Lot 1, and to include the approximate perimeter dimensions of the excluded lands.
29. Prior to final approval, confirm that the lot coverage of Lot 1 will not exceed 75%. Lot coverage is defined by the Zoning Code as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.
30. Prior to final approval and recording of the CSM, the applicant shall work with the Planning Division and Capital Area Regional Planning Commission to revise the environmental corridor map to adjust the mapped corridor so that proposed Lot 1 is excluded.

31. Note: The applicant and property are hereby notified that any future development of Outlot 1 and the excluded lands to the north and west of proposed Lot 1 and Outlot 1 will be reviewed for consistency with the City of Madison Comprehensive Plan and any sub-area plans in effect at the time of submittal, including consistency with recommended land uses and street connections, and protection of environmental corridors. A future applicant to develop these lands may be responsible for the future dedication and construction of an east-west public street planned to connect Ohmeda Drive with Meier Road as part of any development approvals.

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

In order to commence the process for obtaining the necessary City signatures on the Certified Survey Map, the applicant shall e-mail the revised CSM, updated title report, and any other materials required by reviewing agencies to the reviewing planner. The reviewing planner will share the updated materials with the relevant commenting City agencies for them to verify that their conditions have been satisfied and that the secretary or designee may sign the Plan Commission approval certificate. Once the Plan Commission certificate is executed, the Planning Division will make the City Clerk's Office aware that the Common Council certificate may be executed.

Once all of the necessary City signatures have been affixed to the Certified Survey Map, the instrument may be recording at the Dane County Register of Deeds Office. For information on recording procedures and fees, please contact the Register of Deeds at (608) 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 you may be of any further assistance, please do not hesitate to contact my office at (608) 261-9632 or tparks@cityofmadison.com.

Sincerely,



Timothy M. Parks
Planner

cc: Brenda Stanley, City Engineering Division
Jeffrey Quamme, City Engineering Division—Mapping Section
Sean Malloy, Traffic Engineering Division
Jenny Frese, Office of Real Estate Services
Jacob Moskowitz, Asst. Zoning Administrator