



Department of Planning & Community & Economic Development
Planning Division

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January 8, 2010

Michelle Burse
Burse Surveying & Engineering, Inc.
1400 E. Washington Avenue, Suite 700
Madison, Wisconsin 53703

RE: File No. LD 0936 – Certified survey map – 1121-27 University Avenue (Wesley Foundation of Wisconsin)

Dear Ms. Burse:

The two-lot certified survey of your client's property located at 1121-27 University Avenue, Section 22, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The site is zoned R6 (General Residence District). The conditions of approval from the reviewing agencies to be satisfied before final approval and recording of the CSM are:

Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following six conditions:

1. The Certified Survey Map (CSM) configuration as submitted presents numerous city agency challenges. Specifically pertaining to existing buildings that will remain on the site and straddle the proposed common lot line between Lots 1 and 2, as well as fragmented partial ownerships. UW has communicated timing issues with respect to their obtaining ownership of portions of the Wesley Foundation owned lands. The Planning Division has provided the applicant some advice and guidance. The City Engineering Division conceives this CSM application a bit premature and supports submittal of a more complete resultant CSM at a later date if that can in fact satisfy all involved parties needs. The applicant, if they wish to proceed with the CSM, will have to work with City Engineering and other City agencies to address the numerous concerns and issues as described above prior to sign off.

[Author's note: Some of the comments contained in #1 above appear to pertain to the original CSM submitted on October 21, 2009. However, careful coordination between the applicant and City will still be required to ensure that the revised CSM of December 21, 2009 can be recorded.]

2. Arrows shall be added to the certified survey map indicating the direction of drainage for each property line not fronting on a public street. In addition, the certified survey map shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the certified survey map.
 - a.) Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.

- b.) All lots within this survey are subject to a public easement for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easement shall be 12-feet in width on the perimeter of the certified survey map. Easements shall not be required on property lines shared with green ways or public streets. No structures may be constructed within said easement and no other obstructions to drainage, including landscaping are permitted without the prior written approval of the City Engineer.

Note: In the event of the City of Madison Plan Commission and/or Common Council approve re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.

3. If the lots within this certified survey map are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site, an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the CSM and recorded at the Dane County Register of Deeds.
4. A minimum of two working days prior to requesting City Engineering Division signoff on the CSM, the applicant shall contact Janet Dailey (261-9688) 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).
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 condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. 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. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. Note: Land tie to two PLS corners required.
6. Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), final CSM must be submitted to 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 sign-off. Electronic mail submittal of the FINAL CSM in PDF form is preferred.

Please contact John Leach, Traffic Engineering Division, at 267-8755 if you have questions about the following two items:

7. The applicant shall note on the face of the CSM the reciprocal cross-access easements between Lots 1 and 2.
8. The attached declaration of conditions and covenants shall be executed and returned prior to signoff.

Please contact Dennis Cawley, Madison Water Utility, at 261-9243 if you have any questions about the following item:

9. Proposed Lot 1 will require a new water service lateral.

Please contact Matt Tucker, Zoning Administrator (266-4569) or Tim Parks, Planning Division (261-9632) if you have any questions about the following two items:

10. The applicant shall receive approval of a new site plan and/ or minor alteration to an existing conditional use for the church (Lot 2) prior to final staff approval of the CSM and recording. This application shall be made at the Zoning Administrator and will be reviewed in conjunction with the review of the easements and agreements required in the following condition (#11).
11. Provide cross-access, shared parking and maintenance agreements for the driveway, loading, parking and access to the serve the two lots to be created by this CSM. The agreements shall be recorded with the land division.
12. To facilitate approval of the CSM, Zoning and Planning staff have determined that proposed Lots 1 and 2 will continue to serve as a single zoning lot for the church, therefore delaying the need to address such concerns as the provision of parking and loading and required yards to serve the church following the proposed land division and sale. Staff is aware that the purchaser of Lot 1 intends to develop that parcel as part of a future development on adjacent land owned by the University of Wisconsin at 1105 University Avenue (Chemistry Building). Staff is aware that the future development project may also include the demolition of the two-story church addition addressed as 1121 University Avenue and a further adjustment between the common lot line between proposed Lots 1 and 2. At such time as this future development on Lot 1 occurs, the City of Madison will require that the owners of Lots 1 and 2 work collaboratively to address zoning conformance issues for Lot 2, including the provision of adequate off-street parking and required yards for the church. Conformance may include approval of yard and parking reductions as required by the Zoning Ordinance. A subsequent CSM may also be required.

The applicant shall include a note on the face of the final CSM as well as language in the easements and agreements required in the preceding condition (#11) that acknowledge the proposed and future proposed zoning conformity issues created by this two-lot CSM. The language shall be approved by the Zoning Administrator and Planning Division prior to final approval of the CSM for recording.

13. The applicant shall also review the revised CSM with Mike Van Erem in the Building Inspection Division prior to final signoff of the CSM for recording to ensure that the proposed lot line configuration will not result in any Building Code nonconformities for the church on Lot 2. Mr. Van Erem may be reach at 266-4559.

Please note that the City 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 to you by fax or e-mail. If you have any questions, please contact Jeff Ekola at 267-8719 for more information.

A resolution approving the CSM and authorizing the City to sign it and any other documents related to the proposed land division was approved by the Common Council on November 17, 2009.

As soon as the comments and conditions have been satisfied as verified with a completed affidavit form (enclosed), 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.

Upon acceptance and recording of the certified survey map by the Dane County Register of Deeds, please transfer the recorded volume, document number, and page numbers to the copies and forward a copy to this office for our records. The original survey map with the recording information is permanently kept on file in the Dane County Register of Deeds Office. A copy of the recorded document can be obtained from the Register of Deeds Office, Room 110, City-County Building or the Real Estate Office in the Madison Department of Planning and Development.

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 two years from the date of the approving resolution.** If you have any questions or if you may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Janet Dailey, City Engineering Division
John Leach, Traffic Engineering Division
Dennis Cawley, Madison Water Utility
Matt Tucker, Zoning Administrator
Jeff Ekola, Office of Real Estate Services
Norb Scribner, Dane County Land Records and Regulations