



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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

March 28, 2023

Michelle Burse  
Burse Surveying and Engineering, Inc.  
2801 International Lane, Suite 101  
Madison, Wisconsin 53704

RE: LNDCSM-2023-00002; ID 75713 – Certified Survey Map – 1601-1617 Sherman Avenue (Darrin Jolas, Vermillion Acquisitions, LLC)

Dear Michelle;

At its March 13, 2023 meeting, the Plan Commission found the standards met and **approved** your Certified Survey Map of property located at 1601-1617 Sherman Avenue subject to conditions. 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 at its March 21, 2023 meeting. The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM follow.

**Please contact Brenda Stanley of the City Engineering Division at (608) 261-9127 if you have questions regarding the following seven (7) items:**

1. A Phase 1 environmental site assessment (per ASTM E1527-21), is required for lands dedicated to the City. Provide one (1) digital copy and staff review will determine if a Phase 2 ESA is also required. Submit report(s) to Brynn Bemis (608-267-1986, [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)).
2. Construct Madison standard street, multi-use path, and sidewalk improvements for all streets within the CSM.
3. Enter into a City / Developer agreement for 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.
4. Madison Metropolitan Sewerage District (MMSD) 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.
5. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM, contact either Tim Troester (West) at (608) 261-1995 ([ttroester@cityofmadison.com](mailto: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).

6. Submit a soil boring report that has been prepared by a Professional Engineer two weeks prior to recording the final plat to the City Engineering Division indicating the ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than nine (9) feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer. (MGO 16.23(9)(d)(2) and 16.23(7) (a)(13))
7. Confirm that adequate sight distance exists where public streets intersect per AASHTO design standards for intersection sight distance. If adequate sight distance does not exist, change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make the mitigating improvements as required by the City. Caution - The improvements indicated may require right of way outside of the CSM.

**Please contact Julius Smith of the City Engineering Division–Mapping Section at (608) 264-9276 if you have questions regarding the following twenty-four (24) items:**

8. Grant a 20-foot wide Public Sidewalk and Bike Path Easement(s) to the City from the proposed public road to the Madison Parks parcel. Strongly suggested location is along the Eastern Property Line. No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: Pavement and/or concrete for driveway purposes shall be permitted.) Contact Jule Smith with Engineering Mapping (jsmith4@cityofmadison.com) for complete Easement language.
9. The applicant shall Dedicate a 66 foot wide of Right of Way for "Street A" in a location as approved by the City Engineering and Traffic Engineering Divisions.
10. The applicant shall dedicate the existing 33-foot wide strip of right of way along Sherman Avenue. Both the title documents provided prior to the August 14, 1997 FRT survey and those found within City Records do not show a formal fee conveyance or dedication of the existing right-of-way for Sherman Ave from Hausmann Brewing Company nor its successors.
11. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds, 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.
12. The applicant shall dedicate right of way or grant a public sidewalk easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along Sherman Avenue, where needed on the face of this Certified Survey Map. Contact Jule Smith for the with Engineering Mapping (jsmith4@cityofmadison.com) for complete easement language.
13. Consider releasing all of the 10-foot wide Madison gas and Electric Easement per Document No. 3245035. If not petition, MG&E to assign the their rights for the portion of the easement that will be

dedicated for public street to the City of Madison. Additionally provide this document with the title work.

14. Show a temporary limited easement for a temporary cul-de-sac in a location as approved by City Engineering and Traffic Engineering the easement text is as follows: "Temporary Limited Easement benefitting the City of Madison for temporary turnaround improvement purposes. Said Easement shall terminate upon the extension of the [Street A] east of this CSM along with the removal of the public temporary turnaround improvements within the easement area." Contact Jule Smith with Engineering Mapping ([jsmith4@cityofmadison.com](mailto:jsmith4@cityofmadison.com)) for complete easement text.
15. 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. Show the 10-foot utility easement as shown on the concurrent proposed site plan. Add standard note for public utility easements: Public Utility Easements as herein set forth are for the use by Public Bodies and Private Public Utilities having to right to serve the area.
16. 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.
17. Show the limits of the deeds for the adjacent park lands mapped to the South in Document Nos. 0643322 and 0252680.
18. Show the correct limits for the 33-foot easement for a Public Street per Vol. 19 P.60 Misc. with the Document No. 252680 and correctly show the limits terminating at the angle point in the southerly line of the parcel. dimension the endpoint of this line.
19. A note shall be added under all of the street names labeled and to be dedicated on the CSM, "Dedicated to the Public" as required by s.236.20(4)(b). Also label the portion of Sherman Ave to be dedicated without underlining.
20. 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 ([jquamme@cityofmadison.com](mailto:jquamme@cityofmadison.com)).
21. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Certified Survey Map in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations.
22. Prior to Engineering final sign-off by main office for Certified Survey Maps, the final CSM shall be submitted in PDF format 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.

23. Remove the 38.08 foot line break along the City lands of Document No. 252680 introduced in the revised legal description that seems to appear title after the August 14, 1997 Frank Thousand Survey referenced in Document No. 2994874. Obtain this survey and provide with title documents.
24. Show the Centerline of "Street A" per s.236.20(2)(h).
25. Label the short segment dividing Lots 1 and 2 near Street A.
26. Per s.236.34(1m)(c) "CERTIFIED SURVEY MAP" shall be printed on the map in prominent letters on each sheet with the location of the land by government lot, recorded private claim, quarter-quarter section, section, township, range and county noted. Prior to the Quarter-Quarter calls in both the caption on all of the Sheets and the Written legal description in the surveyors certificate add Government Lot 3.
27. Revise the written legal description for the lands to include the existing right-of-way of Sherman Avenue. list the overall parcel area of these lands with and without the current right-of-way of Sherman at the end of the written legal.
28. Revise curve table to read in numerical order.
29. State datum and adjustment used for County Coordinates.
30. Provide proposed street name suggestions for street A to Lori Zenchenko (LZenchenko@cityofmadison.com).
31. 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 three (3) items:**

32. The applicant shall dedicate right of way or grant a public sidewalk easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along Sherman Avenue, as needed.

33. The applicant shall work with the City Engineering and Traffic Engineering Divisions on the final configuration, design and alignment of the new public street, including the temporary cul-de-sac/turnaround area.
34. The applicant shall work with the City Engineering and Traffic Engineering Divisions to provide a public pedestrian connection from the new public street to the Madison Parks parcel to the south.

**Please contact Kathleen Kane of the Parks Division at (608) 261-9671 if you have any questions regarding the following three (3) items:**

35. 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 North Park-Infrastructure Impact Fee district. Please reference ID 23004 when contacting Parks Division staff about this project.
36. 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."
37. Prior to sign off on the CSM the applicant shall execute a declaration of conditions and covenants for impact fees. The Parks Division shall be required to sign off on this CSM.

**Please contact the Office of Real Estate Services at (608) 266-4222 if you have any questions regarding the following items:**

38. A certificate of consent for all mortgagees shall be included following the Owner's Certificate(s) and executed prior to CSM approval sign-off. If the CSM is signed electronically, a PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off. Prior to approval sign-off by the Office of Real Estate Services, the Owner's Certificate 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).
39. Per 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes and special assessments that may become due prior to CSM recording. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off.
40. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger ([hradlinger@cityofmadison.com](mailto:hradlinger@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 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. 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.

**Please contact my office at (608) 261-9632 if you have questions about the following item:**

41. That the Certified Survey Map be revised to reserve a 30-foot area along the entire eastern property line for a future north-south public street consistent with the street grid recommended by the Emerson East-Eken Park-Yahara Neighborhood Plan. The reservation shall take the form of a building setback line where no principal or accessory buildings may be erected. The reserved area shall be considered a restriction for public benefit, and modification or release of the reservation shall require approval by the Plan Commission. A note to this effect shall be included on the final CSM. The final limits of the 30-foot reservation and text for the CSM shall be approved prior to recording.

**Please note that the City's Office of Real Estate Services is reviewing the report of title provided with this survey and may have additional comments. That office will send any comments separately. If you have any questions, please contact Jenny Frese at (608) 267-8719 for more information.**

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

**Approval of this Certified Survey Map does not include any approval to demolish existing buildings or construct new buildings on the subject site. A letter with the conditions of approval for the related development of the site was sent separately.**

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 may be of any further assistance, please do not hesitate to contact my office at (608) 261-9632 or [tparks@cityofmadison.com](mailto:tparks@cityofmadison.com).

Sincerely,



Timothy M. Parks  
Planner

ID 75713  
LNDCSM-2023-00002  
1601-1617 Sherman Ave.  
March 28, 2023  
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cc: Brenda Stanley, City Engineering Division  
Julius Smith, City Engineering Division—Mapping Section  
Sean Malloy, Traffic Engineering Division  
Kathleen Kane, Parks Division  
Office of Real Estate Services