



Department of Planning & Community & Economic Development

Planning Division

William Fruhling, Director

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

April 5, 2024

Grady Gosser
Trio Engineering
4100 N Calhoun Road, Suite 300
Brookfield, Wisconsin 53045

RE: Approving a Certified Survey Map (CSM) of land owned by United Herrling Land, LLC at 10252 Mineral Point Road to create three outlots for future development [LNDCSM-2024-00003; ID 81564]

Dear Grady;

At its March 11, 2024 meeting, the Plan Commission found the standards met and **approved** your Certified Survey Map of property located at 10252 Mineral Point Road 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 19, 2024 meeting. The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM follow.

Please contact Tim Troester of the City Engineering Division at (608) 267-1995 if you have questions regarding the following eight (8) items:

1. The applicant is aware that there is a need for additional stormwater detention at the southern portions of this CSM. Further, at the time of platting, a dedicated greenway shall be provided for the drainage moving north to south through the site. At the time of platting, the applicant shall work with the City Engineering Division to dedicate and transfer by a purchase agreement the additional lands required for stormwater detention.
2. Enter into future phase developer's agreement for all required improvements as required by the preliminary plat of *Herrling Property Subdivision*.
3. This development is subject to review fees from both Capital Area Regional Plan Commission (CARPC) and Madison Metropolitan Sewerage District (MMSD). Those fees have been prepaid by the City of Madison as a condition of bring this area into the Central Urban Service Area (CUSA). The proportional share of those fees shall be charged to this development prior to approval.
4. The applicant shall enter into a City/ Developer agreement for the required infrastructure improvements to 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.

5. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat/ CSM.
6. This development is subject to impact fees for the West Elderberry Sanitary Sewer Improvement Impact Fee District. All impact fees are due and payable at the time building permits are issued. The following note shall put on the face of the plans: "Lots/ buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued."
7. All outstanding 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.
8. A minimum of two (2) working days prior to requesting City Engineering Division sign-off on the CSM, contact either Tim Troester (West) at (608) 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).

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at (608) 266-4097 if you have questions regarding the following ten (10) items:

9. Add a note that lands within this Certified Survey Map are subject to the Declaration of Conditions, Covenants and Restrictions per Document No. 5678222.
10. The Traffic Engineering Division has provided updated requirements for street right of way widths due to the Complete Green Streets guide and policy. The CSM may require updates of the outlot boundaries with the revised street width requirements and any associated changes on the preliminary plat. Note if Blue Indigo Street is required to be widened, the existing public street easement shall be amended to accommodate any required additional width.
11. Add a note that lands within this Certified Survey Map are subject to Declaration of Conditions, Covenants and Restrictions Pertaining to Stormwater Facilities per Document No. 5756921.
12. Add a note that lands within this Certified Survey Map are subject to Cooperation Agreement per Document No. 5756922.
13. Add a note that lands within this Certified Survey Map are subject to Agreement Regarding Easements and Responsibility for Installation, Maintenance and Repair Costs Agreement per Document No. 5901028.
14. 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).

15. Prior to City Engineering Division final sign-off by main office for plats or Certified Survey Maps (CSM), the final Plat or CSM must be submitted by email in PDF format 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 City Engineering Division sign-off
16. Revise the note on sheet one to include in the text "as reapproved by Resolution RES-24-

_____, File ID _____, adopted on _____, 2024. The approval information shall be populated prior to recording the Certified Survey Map.
17. Correct the street name of Lush Woods Place to the official street name of Lush Woods Trail. Correct the street name of Sugar Maple Lane to N Sugar Maple Ln.
18. The applicant shall submit to Julius Smith, 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 Ann Freiwald of the Parks Division at (608) 243-2848 if you have any questions regarding the following two (2) items:

19. Park Impact Fees (comprised of the Park-Infrastructure Impact Fee, per MGO Section 20.08(2), and Park-Land Impact Fees, per MGO Section 16.23(8)(f) and 20.08(6)) 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# 24003 when contacting Parks Division staff about this project.
20. The following note should be included on the CSM: "Lots within this land division are subject to impact fees that are due and payable at the time building permit(s) are issued." The Parks Division shall be required to sign off on this CSM.

Please contact Lance Vest of the Office of Real Estate Services at (608) 245-5794 if you have any questions regarding the following eight (8) items:

21. 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.

22. 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).
23. 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..."
24. Revise the Plan Commission certificate to change "Planning" to "Plan".
25. As of March 1, 2024, the 2023 real estate taxes are paid for the subject property. Under 236.21(3) Wis. Stats. and MGO Section 16.23(4)(f), the property owner shall pay all real estate that are accrued or delinquent for all parcels within the plat boundary prior to recording. This includes property tax bills for the prior year that are distributed at the beginning of the year. Receipts are to be provided on or before sign-off; checks are payable to: City of Madison Treasurer; 210 Martin Luther King, Jr. Blvd.; Madison, WI 53701.
26. As of March 1, 2024, there are no special assessments reported. 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(4)(f).
27. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to the Office of Real Estate Services via email to Lance Vest (lvest@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 (December 29, 2023) 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.
28. The following revisions shall be made on the final plat prior to final approval and recording: Create notes that define the purpose of and the ownership of (whether public or private) all outlots. The note for an outlet dedicated to the public shall say: "Dedicated to the public for _____ purposes."

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

29. Note: No buildings may be constructed on the proposed outlots without further subdivision of those outlots into lots and any land use approvals required by the Zoning Code. Future subdivision and development of the proposed outlots shall be consistent with the land use and street plan in the 2018 Elderberry Neighborhood Development Plan, and with any preliminary plat that may be approved by the Plan Commission and Common Council subsequently. Any restrictions on the outlots shall be released prior to their future development.

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: Ryan McMurtrie, United Herrling Land, LLC
Tim Troester, City Engineering Division
Jeff Quamme, City Engineering Division—Mapping Section
Ann Freiwald, Parks Division
Lance Vest, Office of Real Estate Services