



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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

October 5, 2021

Eric Lindaas
Snyder & Associates, Inc.
5010 Voges Road
Madison, Wisconsin 53718

RE: LNDCSM-2021-00028; ID 66981 – Certified Survey Map – 2300 S Park Street (City of Madison Community Development Authority)

Dear Eric;

The two-lot Certified Survey Map dividing 2300 S Park Street, Section 35, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned CC-T (Commercial Corridor–Transitional District). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following six (6) items:

1. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement.
2. Reconstruct sidewalk along S Park Street to allow for a five-foot sidewalk and eight-foot terrace per a plan approved by City Engineer.
3. Construct new sidewalk along Ridgewood Way to a plan approved by City Engineer.
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 Division sign-off.
5. A minimum of two (2) working days prior to requesting City Engineering Division sign-off on the CSM contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at 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 obsolescence of the existing parcel).

6. The proposed parcels within this development (and/or adjacent to) are dependent on each other for overland and subsurface storm water drainage. A private storm sewer/drainage easement/agreement for all parcels within (and/or adjacent to) this development shall be drafted, executed and recorded prior to building permit issuance.

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following twenty-two (22) items:

7. The pending Certified Survey Map application for this property shall be completed and recorded with the DaneCounty 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 or early start.
8. In accordance with Chapter 236, Wisconsin Statutes, the applicant must show the type, location and width of any and all easements on a plat or CSM. All easements shall be dimensioned accurately to allow retracementwith dimensional information provided on this Certified Survey Map. Also vary the line types on the map to clarify the separate easement areas.
9. The two easement areas described in Document No. 1136983 are incorrectly shown. The easement along the west sideof this CSM is only 125 feet long north to south and the east-west easement is only 113 feet long from the current right of way of S Park Street.
10. The owner shall consider if the easements that remain of Document No. 1190062 after the partial release per Document No. 4480413 have been terminated under the Doctrine of Title Merger. If not, consider releasing the easement in its entirety, as the CDA owns all lands subjected to and benefitting from the easement and the building having the two walls referenced in the agreement is to be razed.
11. Remove the Right of Way to MG&E per Document No. 1915008 that was released by Document No. 1915008. (Westerly north-south portion of the easement having been released.)
12. Remove 10-foot MG&E utility easement per Document No. 4587297, it has been released by Document No. 5094684. The east-west portion of the Unrecorded Line and Pole Extension easement per MG&E Ref. No. 5024 was also released by this document. But the north-south portion along the west line remains intact and shall be noted as such on the CSM. Also, the two easements granted to MG&E by Document No. 5094684 shall be shown and noted on the Certified Survey Map.
13. The five-foot wide right of way for power pole extension per Document No. 4759165 as shown on the CSM is in error. That particular document simply releases the rights of MG&E within the area of dedicated S Park Street right of way dedicated by CSM 12600.
14. Note 7 on sheet 4 shall have text added acknowledging the release of Lot 1 of CSM 13468 from this covenant.
15. Show, label and dimension the No-Build Easement per Document No. 4538078, amended by Document No. 4931073.

16. Grant a public sidewalk easement(s) to the City on the face of this Certified Survey Map for the encroaching sidewalk in the southeast corner of this CSM. The northerly line of the easement shall be one foot behind the current sidewalk. Contact Jeff Quamme (jrquamme@cityofmadison.com) for the required easement language.
17. Note 8 on sheet 4 shall have text added that it is subject to a first amendment to the agreement per Document No. 4968445.
18. For notes on sheet 4 that are from previous Certified Survey Maps, the notes shall properly note from which recorded CSM the note originates to differentiate between existing encumbrances and new encumbrances to be granted by this CSM.
19. Show and label the Perpetual Subsurface Parking Easement Agreement area that benefits Lot 1 of this Certified Survey Map.
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 (jrquamme@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 plat or Certified Survey Map in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. Visit the Dane County Surveyor's Office (web address <https://www.countyofdane.com/PLANDEV/records/surveyor.aspx>) for current tie sheets and control data that has been provided by the City of Madison.
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. Conditions of approval noted herein are not intended to be construed as a review determining full compliance with City of Madison 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.
24. Correct the street name along the north property line to Ridgewood Way.
25. Correct the lot number to Lot 2 in the header on each sheet of the CSM and also in the legal description under the Surveyor's Certificate.
26. The line work of the plat of Miller Park over the southerly portion of the CSM shall be removed, as they have been dissolved by previous Certified Survey Maps.

27. Modify curve C 1 to have a radius of 15 feet. Correct the Curve C-2 data as it is generally all incorrect. Correct the spelling of Length for the column under the parcel lines.

28. 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 266-5987 if you have any questions regarding the following two (2) items:

29. The applicant shall dedicate right of way or grant a public sidewalk easement and be responsible for the construction of a five-foot wide sidewalk, eight-foot terrace, and additional one foot for maintenance along S Park Street.

30. The applicant shall enter in a developer's agreement with City Engineering to construct sidewalk on Ridgewood Way and relocate sidewalk on S Park Street.

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:

31. Ensure existing and new cross access easements include fire access lanes. Currently, the existing Parcels B and C are relying on Parcel A to meet fire access requirements.

Please contact Jeff Belshaw of the Madison Water Utility at 261-9835 if you have any questions regarding the following item:

32. Upon development, a separate water service lateral and water meter will be required to serve each parcel. The water laterals shall be directly connected to the public water main with the shut-off valve located in the public right-of-way (per PSC 185.52 (2)). A water lateral is not required if the parcel remains undeveloped.

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

33. The proposed Certified Survey Map creates a planned multi-use site, which is defined as "a specified area of land comprised of one or more contiguous ownership parcels or building sites that share access and circulation or off-street parking." Per Section 28.137(2)(a) of the Zoning Code, a planned multi-use site shall have a plan and reciprocal land use agreement approved by the Traffic Engineer, City Engineer and Director of Planning and Community and Economic Development and recorded in the office of the Dane County Register of Deeds. Approval of the plan and agreement(s)/easement(s) to govern this site shall be approved prior to final approval of the CSM for recording.

Please contact Melissa Hermann of the City's Office of Real Estate Services at 264-9297 if you have any questions regarding the following ten (10) items:

34. 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). 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.
35. 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).
36. 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.
37. 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..."
38. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest please include a Certificate of Consent for the option holder and executed prior to CSM sign-off.
39. 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.
40. Please include a space for the Register to hand write the recording info on the date of recording, to appear similar to the following:

Office of the Register of Deeds
Dane County, Wisconsin
Received for recording on _____, 20__ at ___ o'clock __M, and
recorded in Vol. ___ of CSMs on page(s) _____, Document No. _____.

Kristi Chlebowski, Register of Deeds

41. As of September 20, 2021, there is an unpaid special assessment in the amount of \$6,279.06 for the subject property. 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. In lieu of this requirement, the owner may present written documentation from the City's Board of Public Works that the special assessments may be continued to be paid on the installment basis authorized by the Board of Public Works. However, if lands within the CSM boundary are to be dedicated, the special assessments levied against the dedicated lands are to be paid in full.

42. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Melissa Hermann (mhermann@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.
43. The following revisions shall be made to the CSM prior to final approval:
- a) Depict, name, and identify by document number all existing easements cited in record title and the updated title report.
 - b) Include a complete and accurate legal description of the lands that are to be included in the proposed CSM. The legal description shall be reconciled with the legal description of said lands in record title.
 - c) Depict and dimension all existing improvements including, but not limited to: buildings, drives, parking lots, encroachments, wells, septic systems, etc. located within the CSM boundary.
 - d) Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.
 - e) If all parties of interest agree that certain easements from prior plats or CSM's of record are no longer necessary, the release documents for said easements shall be recorded prior to CSM approval sign-off, with the recording information for the release included as a Note on the proposed CSM.
 - f) Liens or judgments levied against the lands within the CSM boundary shall be satisfied, with proof of satisfaction provided prior to CSM approval sign-off.
 - g) Create notes that define the purpose of and the ownership of (whether public or private) all outlots. The note for an outlot dedicated to the public shall say: "Dedicated to the public for xxx purposes."

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

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 September 21, 2021 meeting.

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 transmit the CSM to the City Clerk's Office for execution of the Common Council certificate.

Once all of the necessary City signatures have been affixed to the Certified Survey Map, the instrument will be returned electronically to the applicant by the Planning Division for printing and recording at the Dane County Register of Deeds Office. For information on recording procedures and fees, please contact the Register of Deeds at 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 261-9632.

Sincerely,



Timothy M. Parks
Planner

cc: Matt Wachter, Community Development Authority
Tim Troester, City Engineering Division
Jeff Quamme, City Engineering Division—Mapping Section
Sean Malloy, Traffic Engineering Division
Bill Sullivan, Madison Fire Department
Jeff Belshaw, Madison Water Utility
Melissa Hermann, Office of Real Estate Services