



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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July 9, 2021

John Brandt
Brandt Investment Group, LLC
1218 Williamson Street
Madison, Wisconsin 53703

RE: LNDCSM-2021-00018; ID 65655 – Certified Survey Map – 1220-1228 Williamson Street

Dear Mr. Brandt;

The four-lot Certified Survey Map of 1220-1228 Williamson Street, Section 7, Township 7N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned TSS (Traditional Shopping Street District) and is located in the Third Lake Ridge Historic District. The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

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

1. Each lot shall have a separate sanitary sewer lateral, or alternatively, have a recorded ownership/maintenance agreement for the sewer lateral(s) being shared.
2. 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 obsolesces of the existing parcel).
3. The adjacent property at 1216 Williamson Street formerly operated as a dry cleaner. Sampling in the right of way confirms that 1216 Williamson is contaminated with dry cleaning chemicals at concentrations that may cause vapor intrusion above public health standards in your proposed development. Please contact Brynn Bemis of City Engineering (bbemis@cityofmadison.com, 608.267.1986) or Steve Martin of the Wisconsin Department of Natural Resources (StevenL.Martin@wisconsin.gov) for additional information on addressing this issue.

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

4. The developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements, which shall be noted on face of CSM.

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have questions regarding the following two (2) items:

5. Provide details/documentation regarding the allowance and rights for Lot 3 to egress across Lot 4, and Lot 2 to egress across Lot 1.
6. Provide details and/or documentation of the protection of openings in the buildings on or near the lot lines and/or permanent no build easements in order to comply with the International Building Code.

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

7. Currently only two water service laterals serve this parcel. Prior to final approval and recording of the CSM, a separate water service lateral and water meter will be required to serve each proposed lot. 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)). Provide a plan to indicate how additional water service laterals will be connected to the public water main and obtain necessary permits from the Water Utility prior to final approval.

Please contact Jeff Quamme of the City Engineering Division—Mapping Section at 266-4097 if you have questions regarding the following fifteen (15) items:

8. There has not been provided in the title report or shown on the CSM access rights over the northerly corner of the property at 1216 Williamson Street (SW 4' Lot 15 and NE 38 of Lot 16, Block 201) necessary for vehicular and pedestrian access between the access rights granted by CSM 7871 and the existing parking area in the rear of Lot 4. Provide a recorded easement or draft to be recorded immediately after the recording of this CSM.
9. The title report and CSM shall acknowledge, show and label the missing Pedestrian and Vehicular Access rights as granted across the paved area by CSM 7871 from E. Wilson Street to the benefit of Lots 3 and 4 of this CSM. (benefitting lands being that part of Lot 15, Block 201 of Farwell's Replat lying within this CSM).
10. Provide for review the access easement to be separately recorded for the benefit of Lot 3 over the rear of Lot 4 as noted on the CSM prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording.
11. Provide for review, comprehensive reciprocal party wall easement / agreements / covenant necessary to accomplish the land division as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording.
12. Provide for review, comprehensive reciprocal easement / covenant or agreement for access over proposed Lot 1 to the parking area behind proposed Lot 2 and any agreement for parking if shared between the two lots. The document(s) shall be executed and recorded immediately subsequent to the CSM recording.
13. The Right of Way Easement per Document Nos. 812729 and 815298 not only include the 10-foot width in back of the parcel to the northeast, it also includes rights over an 8-foot wide easement area that

straddles the property line between the parcels at 1234 and 1236 Williamson St providing a route out to Williamson Street. It only benefits the North 26 feet of proposed Lot 1. Either correct the easement configuration and labels on the CSM. Or, if this easement is not to be utilized by the owner of the lands within this CSM, the owner should consider releasing the easement and removing it from record title.

14. Add Document Nos. 920886, 1480670 and 1729209 to the label for the 8-foot Joint Driveway Easement along the southwesterly side of proposed Lot 4 of this CSM.
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 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).
16. 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 for current tie sheets and control data that has been provided by the City of Madison.
17. 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.
18. All lot corners shall be monumented with an iron stake or appropriate nail or chiseled cross. Where the corner cannot be monumented at the true position, an appropriate offset monument / marking shall be placed.
19. The header on each sheet and for the legal description shall add that this CSM also lies in part of the NW 1/4 of the SW 1/4 of Section 7 and that both Quarter Quarters are also known as Government Lot 4 and Government Lot 5.
20. The bearing reference shall be revised to be related to a boundary line of a quarter section as required by statute.
21. Correct the first course in the legal description, it is along the west line of the "NW 1/4".
22. 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 item:

23. The developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

Please contact Andy Miller of the City's Office of Real Estate Services at 261-983 if you have any questions regarding the following nine (9) items:

24. 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. 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.
25. 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.
26. 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.
27. 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.
28. Update the Plan Commission Certificate to be executed by "Matthew Wachter, Secretary of the Plan Commission".
29. As of June 30, 2021, the 2020 real estate taxes are not paid for the subject property. Per 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes 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.
30. As of June 30, 2021, 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(5)(g)1.

31. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Andy Miller in the ORES (acmiller@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 (dated March 24, 2021) 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.
32. 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. In particular, please depict and include the document number for the easement recorded as Document No. 4882190, if applicable.
 - 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) CSM 7891 is to the northwest of proposed Lot 3 and Lot 4 (not CSM 7871). Correctly label this adjacent CSM and include all notes and/or rights from CSM 7891 that apply to this proposed CSM.
 - d) 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.

Please contact my office at 261-9632 if you have questions about the following two (2) items:

33. Prior to final approval and recording of the CSM, the applicant shall comply with the International Building Code as determined by the Building Inspection Division, including but not limited to the protection of openings in the buildings on or near the lot lines and required fire separation.
34. The proposed Certified Survey Map creates a planned multi-use site. Per Section 28.137(2)(a), 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 easement(s) to govern this site shall be approved prior to final approval of the CSM for recording.

The applicant shall comply with any conditions of approval of the Certificate of Appropriateness granted by or on behalf of the Landmarks Commission. Please contact Heather Bailey, Preservation Planner, at 266-6552 if you have any questions about that approval.

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 will be reviewed by the Common Council at its July 20, 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 you may be of any further assistance, please do not hesitate to contact my office at 261-9632 or tparks@cityofmadison.com.

Sincerely,



Timothy M. Parks
Planner

cc: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division—Mapping Section
Sean Malloy, Traffic Engineering Division
Jacob Moskowitz, Assistant Zoning Administrator
Bill Sullivan, Madison Fire Department
Jeff Belshaw, Madison Water Utility
Heather Bailey, Landmarks Commission
Andy Miller, Office of Real Estate Services