



Department of Planning & Community & Economic Development

Planning Division

William Fruhling, Interim Director

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

July 5, 2024

Kevin Pape
Vierbicher & Associates, Inc.
999 Fourier Drive, Suite 201
Madison, Wisconsin 53717

RE: LNDCSM-2024-00009; ID 81945 – Certified Survey Map – 506-518 E Wilson Street and 134-148 S Blair Street (JCAP Real Estate and JDJ Imports Company, LLC)

Dear Kevin;

On June 10, 2024, the Plan Commission **conditionally approved** your Certified Survey Map to create two lots from property generally located at 506-518 E Wilson Street and 134-148 S Blair Street, Section 13, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin. 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 (608) 261-9127 if you have questions regarding the following five (5) items:

1. Enter into a City / Developer agreement for the 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. (MGO 16.23(9)c)
2. Construct sidewalk, terrace, curb and gutter, and pavement to a plan approved by the City Engineer
3. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
4. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 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).

5. Based on WDNR BRRTS record #03-13-002309 ESSEN HAUS, the property contains residual contamination. If contamination is encountered, follow all WDNR and DSPS regulations for proper handling and disposal.

Please contact Julius Smith of the City Engineering Division–Mapping Section at (608) 264-9276 if you have questions regarding the following nineteen (19) items:

6. Grant a Public Sidewalk Easement along Blair Street Right-of-Way to the City on the face of this Certified Survey Map. The final width of the easement shall be approved by Engineering and Traffic Engineering. Contact Jule Smith (Jsmith4@cityofmadison.com) for the final language to be included on the face of the map.
7. The Site Plan indicates plaza space and the remaining existing building facia encroaching into the E. Wilson Street right of way. The Applicant shall confirm and note on the plans all encroachments, including, (but not limited to) balconies, roof overhangs and underground vaults. Make an application with City of Madison Real Estate for a privilege in streets agreement. An approval of the development does not constitute or guarantee approval of any encroachments within a public right of way. There is an existing encroachment agreement Document No. 1818980 that shall be amended to reflect the additional facia encroachments as shown at ground level on the CSM.
8. 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.
9. 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.
10. There is an existing storm line from Germainia Condominium and numerous other shared elements Shared drive, access parking, utility crossing and etc. being shown on the proposed development with the Hotel Ruby Marie property.
11. 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 Jule Smith (jsmith4@cityofmadison.com).
12. 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. Visit the Dane County Surveyor's Office for current tie sheets and control data that has been provided by the City of Madison.

13. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jule Smith (jsmith4@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.
14. Verify the 66-foot right-of-way of S Blair Street. Of particular note the 3/4" rebar shown found at the corner of Main and Blair on CSM 13027 should be compared to the long standing existing building located at the opposite Southeast corner on the MGE parcel in CSM 14931. This building corner has been noted as the corner of Blair and Main in Prior surveys. See survey 2018-01239 on file at Dane county land records for further details.
15. Per 236.20(2)(h) show the Centerline of all streets.
16. Per 236.34(1m)(c)... the location of the land by government lot, recorded private claim, quarter-quarter section, section, township, range and county noted.
17. Add the Document No. 109 for the Pritchette Plat, the Capital of Wisconsin to both the header caption and the legal description.
18. Per A-E 7.05(11) List the Datum and Adjustment use for the Wisconsin County Coordinate System. I.E. NAD 83 (91),(97) or (2011).
19. Show/detail and set a witness/offset corner in front of the existing hotel on Lot 2 where no corner is being set.
20. Due to the large overlap in the neighboring existing structure on lot 10 further detail the proration and/or junior/senior rights breakdown of the parcels that results in the development retaining all of the 1.50 ft excess in the block length. Show the "Recorded As" bearings and/or distances as required per the Pritchette plat.
21. Per Wis. Stats. 236.20(2)(c) Where the exterior boundary lines show bearings or lengths that vary from those recorded in abutting plats or certified surveys there shall be the following note placed along the lines, "recorded as (show recorded bearing or length or both)."
22. This pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), 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 permit.
23. Show the Southerly Right-of-Way of E Wilson Street along Block 271.
24. The applicant shall submit to Julius Smit 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 questions regarding the following two (2) items:

25. The developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.
26. The applicant shall dedicate right of way or grant a public sidewalk easement for and be responsible for the construction of a minimum five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance, where applicable, along their site's frontage of S Blair Street.

Please contact Matt Hamilton of the Madison Fire Department at (608) 266-4457 if you have questions regarding the following item:

27. Provide for cross access agreements if fire lanes transverse across multiple lots.

Please contact Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have questions regarding the following item:

28. The following information shall be noted on the CSM prior to final approval: The properties are located within Wellhead Protection District—Zone (WP-17). Uses of the properties are required to comply with the City of Madison Wellhead Protection requirements as provided under MGO Sections 13.22 and 28.102.

Please contact the Jenny Freese of Office of Real Estate Services at (608) 266-8719 if you have any questions regarding the following seven (7) items:

29. Prior to approval sign-off by the Office of Real Estate Services (“ORES”), 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). The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report. 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.
30. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate 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.
31. 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.

32. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest, include a Certificate of Consent for the option holder and have it executed prior to CSM sign-off, if said ownership interest meets the criteria set forth by Wis. Stat. Sec. 236.34 and Sec. 236.21(2)(a).
33. 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.
34. Any real estate taxes and special assessments shall be paid in full prior to CSM approval sign-off pursuant to Madison General Ordinance Section 16.23(4)(f).
35. The owner shall furnish an updated title report to the City's Office of Real Estate Services 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. 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.

The Office of Real Estate Services is still reviewing the CSM and title report and may have additional comments to be addressed prior to final sign-off and recording of the CSM.

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 June 18, 2024 meeting.

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 redevelopment 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.

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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: Brenda Stanley, City Engineering Division
Julius Smith, City Engineering Division—Mapping Section
Sean Malloy, Traffic Engineering Division
Matt Hamilton, Madison Fire Department
Jeff Belshaw, Madison Water Utility
Jenny Freese, Office of Real Estate Services