



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

Madison Municipal Building, Suite 017
215 Martin Luther King Jr. Boulevard
Madison, Wisconsin 53703
Phone: (608) 266-4635
www.cityofmadison.com

March 29, 2021

Bayview Foundation Inc
Attn: Alexis London
601 Bay View
Madison, WI 53715-1482

RE: LNDSCM-2021-00004; ID 64337 – Certified Survey Map (REVISED) – 601 Bay View

Dear Ms. London:

The two-lot Certified Survey Map of property addressed as 601 Bay View, Section 23, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned TR-U1 (Traditional Residential–Urban 1 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 608-267-1995 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. (MGO 16.23(9)c)
2. Construct Madison Standard street, multi-use path, and sidewalk improvements for all streets within the plat/csm. City will manage and construct a project to build La Mariposa Lane. Developer will be assessed for 1/2 of street, sidewalk from Braxton Pl to W Washington Ave. Developer will be assessed for path/sidewalk improvements from Braxton Pl to Regent St.
3. Construct sidewalk & terrace along Regent St to a plan as approved by City Engineer.
4. Execute a waiver of notice and hearing on the assessments for the improvement of La Mariposa Ln in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO. (MGO 16.23(9)(d)(6))
5. 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 their mitigating improvements as required by the City. Caution - The improvements indicated may require right- of-way outside of the plat/csm.
6. The applicant shall add the following note to the face of the CSM. At the time of redevelopment this parcel is subject to the redevelopment stormwater requirements of Madison General Ordinance 37.

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 608-266-4097 if you have questions regarding the following fourteen (14) items:

7. The portion of La Mariposa Ln to be dedicated to the public lying south of Braxton Place shall be designated as Outlot 1 – Reserved as Future Public Right of way. The Outlot label shall be added to the map sheets and shall also have text to see Notes 8 and 9 on sheet 5 for future dedication requirements and restrictions.
8. Provide language setting forth the terms and conditions for the Public Sidewalk Easement to the City on the face of this Certified Survey Map. Contact Jeff Quamme for the required language.
9. Grant a Permanent Limited Easement for grading and sloping 10 feet wide along the east side of La Mariposa Lane and required Outlot 1. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) for easement language.
10. The portion of the 10-foot wide Private Utilities Easement bisecting this CSM shall be released by the affected Utilities by recorded instrument(s) upon the removal of the facilities from the easement area. The Triangle has a note that all easements granted on the plat are public. Therefore, the City of Madison will be required to release the easement. Coordinate a Real Estate project with Jeff Quamme to coordinate the release. Revise the note for the Triangle plat easement as follows: 10' Private Utilities Easement per Doc # 1220391 to be released upon removal of existing utilities. See Note 10 on Sheet 5.
11. The applicant/developer/owner shall be aware that there are several specific utility easements that will require releases by the benefitting entities as demolition and reconstruction progresses in phases of the project planned within this Certified Survey Map.
12. Remove all notes and linework regarding future dedications on adjacent CDA lands to the west. This is a change from the previous review.
13. On sheet 2 add text "See Notes From Triangle Plat, Note No. 2" to the label for the 10' Wide Public Storm and Sanitary Sewer Easement along W Washington Avenue.
14. Revise Note 1 on sheet 2 noting that the easements will be released by a separate instrument upon the removal of the utilities as part of the phased redevelopment of Lots 1 and 2.
15. Revise Note 1 on sheet 3: All buildings and improvements within the lots, outlots and La Mariposa Lane shall be removed prior to the phased redevelopment and improvement of those areas.
16. 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).

17. 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 Jeff Quamme (jquamme@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. The Lot lines defining Lot 2 shall be solid and clear on all sheets of this Certified Survey Map.
19. The 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.
20. Submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, 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 plat:

Right-of-Way lines (public and private)

Lot lines

Lot numbers

Lot/Plat dimensions

Street names

Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)

NOTE: This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data for any changes subsequent to any submittal.

Please contact Sean Malloy of the Traffic Engineering Division at 608-266-95987 if you have any questions regarding the following item:

21. 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 Regent Street.

Please contact Ann Freiwald of the Park Division at 608-243-2848 if you have any questions regarding the following three (3) items:

22. 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# 21002 when contacting Parks Division staff about this project.
23. The following note shall 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."
24. The Parks Division shall be required to sign off on this CSM.

Please contact Andy Miller of the City's Office of Real Estate Services at 608-261-9983 if you have any questions regarding the following seven (7) items:

25. 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. 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.
26. 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.
27. 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, to be executed prior to CSM sign-off.
28. 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.
29. A Madison Common Council Certificate is certificate is required when dedication of land and the conveyance of rights in land are required. For parcels located within the City of Madison, a Madison Common Council Certificate shall appear as follows:

Resolved that this certified survey map located in the City of Madison was hereby approved by Enactment Number _____, File ID Number _____, adopted on the ____ day of _____, 20__, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this ____ day of _____, 20__

Maribeth L. Witzel-Behl, City Clerk
City of Madison, Dane County Wisconsin

30. Pursuant to Madison City Ordinance Section 16.23(7)(d)3 and Wis. Stats. 236.21(2) (a), all CSM's that are subject to the review and approval of the City of Madison shall contain the following certificate of approval:

Approved for recording per the Secretary of the City of Madison Plan Commission.

By: _____ Date: _____

Matthew Wachter, Secretary of the Plan Commission

31. No real estate taxes are currently due for the subject property. However, Per 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, 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.
32. As of March 26, 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 Madison General Ordinance Section 16.23(5)(g)1.
33. While a Title Commitment was provided, a 60 year Report of Title was not provided with this CSM submittal. Pursuant to Madison City Ordinance 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 March, 16, 2021 date of the Title Commitment submitted with the CSM application and include all documents associated with the full Report of Title. A title commitment may be included, but will be considered only as supplementary information to the full Report of Title. 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.
34. Revise the CSM as follows prior to final approval and recording:
- a) Depict, dimension, name, note and/or identify by document number all relevant easements, declarations, plans, conditions, agreements, and other documents cited in record title and the updated title report, and include relevant notes from plats or CSMs of record. If documents included in the 12-23-2019 title report do not apply to the area within the proposed CSM, have them removed from the updated title report.
 - b) 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.
 - c) Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.
 - d) 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.

- e) 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.
- f) 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 _____ 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 will be reviewed by the Common Council at its March 30, 2021 meeting.

****NEW**** 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 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 608-267-1150.

Sincerely,



Kevin Firchow, AICP
Principal Planner

cc: Tim Troester, City Engineering Division
Jeff Quamme, City Engineering Division—Mapping Section
Ann Freiwald, Parks Division
Andy Miller, Office of Real Estate Services