



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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September 28, 2018

Mark Pynnonen
Birrenkott Surveying
1677 N. Bristol Street
Sun Prairie, Wisconsin 53590

RE: LNDCSM-2018-00030 – Certified Survey Map – 4802 Sheboygan Avenue (State of Wisconsin and SG Hill Farms, LLC) [ID 52754; LNDCSM-2018-00030]

Dear Mr. Pynnonen;

The two-lot **Certified Survey Map** to divide State of Wisconsin-owned land generally addressed as 4802 Sheboygan Avenue, Section 20, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The subject property is zoned SE (Suburban Employment District) and (unrecorded) PD (Planned Development 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 fourteen (14) items:

1. The construction of this project will require that the applicant shall enter into a City/ Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Note: Obtaining a developers agreement generally takes approximately 4-6 weeks, minimum.
2. Two weeks prior to recording the final plat, a soil boring report prepared by a Professional Engineer, shall be submitted to the City Engineering Division indicating a ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9 feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
3. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
4. 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.

5. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM, the applicant shall contact either Tim Troester at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley 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. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
6. The following note shall be placed on the CSM: "No changes in drainage patterns associated with development on any or all lots within this CSM shall be allowed without prior approval of the City Engineer."
7. The following note shall be added to the CSM: "All lots created by this certified survey map are individually responsible for compliance with Chapter 37 of Madison General Ordinances in regard to stormwater management at the time they develop."
8. The applicant shall execute a waiver of notice and hearing on the assessments for the improvements as required by the City Traffic Engineer in accordance with Section 66.0703(7)(b) Wisconsin Statutes and MGO Section 4.09.
9. The approval of this development does not include the approval of the changes to public roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer.
10. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
11. The applicant shall replace all sidewalk and curb and gutter that abuts the property that is damaged by the construction, or any sidewalk and curb and gutter, which the City Engineer determines needs to be replaced because it is not at a desirable grade, regardless of whether the condition existed prior to beginning construction.
12. The applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
13. All work in the public right of way shall be performed by a City-licensed contractor.
14. All damage to the pavement on all public streets adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.

Please contact Jeff Quamme of the City Engineering–Mapping Section at 266-4097 if you have any questions regarding the following nine (9) items:

15. Correct the legal description: the first bearing of the tie states S & E; it should be N & W.
16. The internal road system is planned to be private. The applicant shall provide public easements for public pedestrian, bicycle and vehicular access through proposed Lot 1 of this CSM. Separate documents may be required to be drafted, reviewed and coordinated with City Engineering and Real Estate staff. All required documents shall be recorded immediately after the Certified Survey Map and shall be recorded prior to or simultaneously with applicable SIP approvals on the planned adjacent development to the east of Lot 1. The documents shall set forth specific restrictions, rights and responsibilities of the parties subject to or benefitting from the easements within the lots and outlots being divided.
17. There are Public Sanitary Sewer and Water Main facilities that currently exist and some to be extended as part of this development. The applicant shall provide public easements for public water main and sanitary sewer through Lot 1 of this proposed CSM. Separate documents shall be drafted, reviewed and coordinated with City Engineering and Real Estate staff. All required documents shall be recorded immediately after the Certified Survey Map. The documents shall set forth specific restrictions, rights and responsibilities of the parties subject to or benefitting from the easements within said Lot 1. Permitted private street and/or other private improvements within any easement area may be removed by the City as necessary during any required construction, maintenance or repair of the public facilities without replacement or compensation to the owner.
18. The northeast corner of this CSM appears to be over one foot northerly of the right of way per Hilldale Hurrah and University Hill Farms Park Addition. The surveyor shall review the University Avenue right of way and provide information substantiating the location of the right of way or shall adjust the right of way on the CSM.
19. Provide recorded as data on all courses around the exterior of the CSM.
20. 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.
21. The final plat shall conform to all requirements of Chapter 236 of Wisconsin Statutes and City of Madison Ordinances for platting prior to final sign off.
22. Lot 2 shall be changed to Outlot 1 - Reserved for Future Development.
23. Add to the dedication detail at the southwest corner of the CSM "Sheboygan Avenue - Dedicated to the Public".

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following item:

24. The applicant shall work with the Traffic Engineering Division and the Wisconsin Department of Transportation to allow future cross access if/when the property to the west redevelops.

Please contact Sarah Lerner of the Parks Division at 261-4281 if you have any questions regarding the following four (4) items:

25. 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 West Park -Infrastructure Impact Fee district. Please reference ID# 18101 when contacting Parks Division staff about this project.

26. Pursuant to MGO Section 20.08 (2)(c)2.d., the park impact fee may be reduced for multi-family dwelling units that are limited to occupancy by persons fifty-five (55) years of age or older by appropriated recorded restriction for a period of not less than thirty (30) years.

27. The following note should 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."

28. Prior to sign off on the CSM, the applicant shall execute a declaration of conditions and covenants along with an impact fee schedule for the park impact fees for this development. This document will be recorded at the Register of Deeds. The applicant shall pay for the recording fees. Parks Division will be required to sign off on this CSM.

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

29. Prior to final approval of the CSM for recording, extend the future public access easements for Madison Yards Way to the far western property line to allow for the future extension of this street west onto the Red Cross property consistent with the recommendations for circulation north of Sheboygan Avenue in the University Hill Farms Neighborhood Plan.

30. The applicant shall submit to the Planning Division two copies of the private subdivision covenants, conditions and restrictions that govern the organizational structure, use, maintenance and continued protection of the development and any common services, open areas or other facilities to serve the proposed subdivision. These documents shall be approved by the Planning Division in consultation with the City Attorney's Office and City Engineer prior to final approval of the CSM and final plat for recording.

Please contact Heidi Radlinger of the Office of Real Estate Services at 266-6558 if you have any questions regarding the following six (6) items:

31. Entity named on owner's certificate shall be consistent with the ownership interest reported in the most recent title report.

32. A certificate of consent for all mortgagees shall be included and executed prior to sign-off. If mortgages of record are paid off prior to plat or CSM approval, a copy of the recorded satisfaction for said mortgage shall be provided prior to sign-off.
33. There is a special assessment reported for the parcel within the subdivision boundary. Pursuant to MGO Section 16.23(5)(e)1 and Wis. Stats. 236.21(3), all special assessments, including accrued interest in the case of delinquencies, shall be paid by the owner prior to final plat or CSM approval sign off. Receipts for payment shall be provided to the City's Office of Real Estate Services in advance of plat approval sign-off.
34. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger in the City's Office of Real Estate Services (hradlinger@cityofmadison.com), as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (November 27, 2017) and the date when sign-off approval is requested. A title commitment may be provided, but will only be considered as supplementary information to the title report update. The surveyor shall update the plat with the most recent information available in the title report update.
35. Note: The owner shall email the document number of the recorded final plat and CSM to Heidi Radlinger hradlinger@cityofmadison.com in the Office of Real Estate Services as soon as it is available.
36. The following revisions shall be made prior to final approval of the CSM for recording:
 - a.) Depict the Underground Electric Easement per Document No. 5261780.
 - b.) Remove Temporary Limited Easement from title as TLE set forth via Document No. 4827956 (pursuant to TPP 5992-08-18 4.09, Document No. 4777515) terminated December 31, 2013.

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

A resolution conditionally approving the CSM and authorizing the City to sign it and any other documents related to the revised land division was approved by the Common Council on September 25, 2018.

As soon as the comments and conditions contained herein have been satisfied as verified with a completed affidavit form provided by the Planning Division, the original along with the revised Certified Survey Map, with all signatures and approvals from the reviewing agencies, shall be brought to this office for final signoff. You or your client may then record the certified survey at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 266-4141.

Prior to City Engineering final sign-off by the main office of the CSM, the final CSM shall be submitted to the Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division signoff. E-mail submittal of the final CSM in PDF form is preferred. Transmit to [jqamme@cityofmadison.com](mailto:jrqamme@cityofmadison.com).

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: Tim Troester, City Engineering Division
Jeff Quamme, City Engineering Division—Mapping Section
Eric Halvorson, Traffic Engineering Division
Jenny Kirchgatter, Assistant Zoning Administrator
Sarah Lerner, Parks Division
Adam Wiederhoeft, Madison Water Utility
Heidi Radlinger, Office of Real Estate Services