



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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Madison, Wisconsin 53703
Phone: (608) 266-4635
www.cityofmadison.com

February 27, 2024

Zach Reynolds
Wyser Engineering, LLC
Mount Horeb, Wisconsin 53572

RE: LNDSCM-2023-00040; ID [81085](#) – Certified Survey Map – 6110 Schroeder Road and 1-15 Ellis Potter Court (Scott Kwiecinski, BR 15 Rear Estate, LLC)

Dear Zach;

At its January 22, 2024 meeting, the Plan Commission found the standards met and **approved** your one-lot Certified Survey Map of property generally addressed as 6110 Schroeder Road and 1-15 Ellis Potter Court, Section 25, Township 7N, Range 8E, City of Madison, Dane County, Wisconsin subject to conditions. 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 February 13, 2024 meeting. The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM follow.

Please contact Timothy Troester of the City Engineering Division at (608) 267-1995 if you have questions regarding the following five (5) 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 sidewalk, terrace, curb and gutter and pavement to a plan as approved by 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. (MGO 16.23(9)(d)(4))
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). (POLICY)

5. Add a note to the CSM: Each lot shall be individually responsible for compliance with Madison Ordinance Chapter 37 requirements.

Add a note to the CSM: No change in grades shall be allowed without the approval of the City Engineer.

Please contact Jeff Quamme of the City Engineering Division–Mapping Section, at (608) 266-4097 if you have questions regarding the following eight (8) items:

6. Any portion(s) of the public utility easement per CSM 3534 that is intended to be released as noted on the development plans within this CSM shall be released by separate document prepared by City Office of Real Estate Services. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) to coordinate the Real Estate project, and associated information and fees required. Developer / Owner / Consultant are collectively responsible to provide recorded releases from the other utilities serving the area prior to the City of Madison releasing its rights.
7. 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 or early start permit.
8. Confirm the future status of the Communications line shown on the Certified Survey Map. Provide any necessary easements for the facility as necessary for the redevelopment of the future lot.
9. Add a note: Per CSM 3534, "The Owner of Lot 3 (of CSM 3534 lying within this proposed CSM) has full maintenance responsibility for Outlot 1 (of CSM 3534). Place a label on OL 1 to refer to this note.
10. 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)
11. 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 (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.
12. Show the outline and label the area of the right of way conveyance per Document No. 1688374 on the map. Add a recorded as distance of 161.37 on the south line of Lot 1.

13. Submit to Jeff Quamme, prior to 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, preferably closed polylines for lot lines, shall be void of gaps and overlaps and match the final recorded plat:

- a) Right-of-Way lines (public and private)
- b) Lot lines
- c) Lot numbers
- d) Lot/Plat dimensions
- e) Street names
- f) 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) 266-5987 if you have any questions regarding the following item:

14. 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 Ellis Potter Court.

Please contact Trent Schultz of the Parking Division at (608) 246-5806 if you have any questions regarding the following item:

The agency reviewed this request and has recommended no conditions of approval. A Transportation Demand Management (TDM) Plan may be required as part of future development, outside of the Certified Survey Map review.

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

15. 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."
16. Prior to sign off on the CSM the applicant shall execute a declaration of conditions and covenants for impact fees.
17. The Parks Division shall be required to sign off on this CSM.

Please contact Lance Vest of the Office of Real Estate Services at (608) 245-5794 if you have any questions regarding the following seven (7) items:

18. 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.

19. 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.

20. Madison Common Council Certificate: Revise the Madison Common Council Certificate 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

21. As of January 4, 2024, the 2023 real estate taxes are due for the subject property.

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 are accrued or delinquent for the subject property prior to CSM recording. This includes property tax bills for the prior year that are distributed at the beginning of the year. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off. Payment is made to:

City of Madison Treasurer
210 Martin Luther King, Jr. Blvd.
Madison, WI 53701

22. As of January 4, 2024, 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.
23. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish a title report to ORES via email to Lance Vest (lvest@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall include all associated documents that have been recorded.

A title commitment has been provided, but will be considered only as supplementary information to the title report. Surveyor shall update the CSM with the most recent information reported in the title report. ORES reserves the right to impose additional conditions of approval in the event the title report contains changes that warrant revisions to the CSM.

24. Note 1 of CSM 3534 states that the owner of Lot 3 of CSM 3534 has full maintenance responsibility for O.L. 1. Include a similar note on this CSM that the proposed Lot 1 will have full maintenance responsibility for O.L. 1.

Remove or revise the Curve Table at the bottom of Sheet 2.

The following language on Sheet 1 appears incomplete and should be revised: "See Sheet 2 of 4 for further details on existing."

Depict, name, and identify by document number all existing easements cited in record title and the title report.

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 will be returned 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. Signatures may electronically affixed or in ink depending at the applicant's request.

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) 261-9135 or cwells@cityofmadison.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Wells". The signature is fluid and cursive, with the first name "Chris" and last name "Wells" clearly distinguishable.

Chris Wells
Planner

cc: Timothy Troester, City Engineering Division
Jeffrey Quamme, City Engineering Division—Mapping Section
Sean Malloy, Traffic Engineering Division
Ann Freiwald, Parks Division
Lance Vest, Office of Real Estate Services