



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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July 12, 2023

Michelle Burse
Burse Surveying and Engineering, Inc.
2801 International Ln, Suite 101
Madison, WI 53704

RE: LNDCSM-2023-0015; Legistar ID 78221 – Certified Survey Map – 2040 South Park Street & 824 Dane Street

Dear Michelle Burse,

Your two-lot certified survey of property located at 2040 South Park Street and 824 Dane Street, Section 35, Township 07N, Range 09E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned CC-T (Commercial Corridor-Transitional District) and TR-C2 (Traditional Residential – Consistent 2 District). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

Please contact Timothy Troester of the City Engineering Division at 267-1995 if you have questions regarding the following three (3) items:

1. 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))
2. 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)
3. Based on historical city directories, a company called Skelgas operated at 2010 S. Park St. from at least 1955 to 1960. The property may contain residual contamination. If contamination is

encountered, follow all WDNR and DSPS regulations for proper handling and disposal.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following one (1) item:

4. The applicant shall dedicate a 5' easement for future terrace width along their frontage of South Park Street.

Please contact Jacob Moskowitz, Assistant Zoning Administrator at (608) 266-4560 if you have any questions regarding the following one (1) item:

5. The two lots will remain one zoning lot, and a Planned Multi-Use Site per Sec. 28.137(2).

Please contact William Sullivan of the Fire Department at (608) 261-9658 if you have any questions regarding the following one (1) item:

6. Provide details on the condition of the party wall to verify that no openings or penetrations exist or have been properly sealed up and the party wall complies with the applicable provisions of the IBC.

Please contact Jeff Belshaw of the Water Utility at 261-9835 if you have any questions regarding the following one (1) item:

7. The following information shall be noted on the CSM prior to final approval: The properties are located within Wellhead Protection District—Zone (WP-18). 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 Jeffrey Quamme of the City Engineering Division – Mapping Section at 266-4097 if you have questions regarding the following fifteen (15) items:

8. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm drainage/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.
9. Provide for review, comprehensive reciprocal party / common wall agreement to allow the dividing lines between the two proposed parcels. The party / common wall draft shall be provided for review to Engineering Mapping, Fire and zoning for review and comment. It shall be recorded immediately after the recording of the CSM. Place a note on the common lines that they will be subject to a separately recorded Party Wall agreement.
10. Add text to the reference line note for S. Park St that it is per Wisconsin DOT R/W Project No 5992-3-11.

11. The legal description shall include text when describing the two curves that they are non-tangent curves. Also add the total area of the CSM of 56, 913 s.f. to the legal description.

12. In Grant a Public Sidewalk and Bike Path Easement(s) to the City on the face of this Certified Survey Map for any public sidewalk that may cross into the lots of this CSM.
13. Add a note to the map on the westerly right of way of S Park St that it is per Document No's 1843075 & 1844936.
14. Show and label the Lot 11 area as subject to the Deed Restriction per Doc No 5124144 and include text referring to Note 5 on Sheet 3
15. Provide a north arrow on all details.
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 (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. Add the recorded as bearing for the westerly right of way of S Park St and also for the bearings around the rest of the CSM per the plat of Oak Ridge.
19. Provide monumentation at the true position of the current Northeast Corner of Lot 9 as required by statute. Also correct the note to see from Sheet 3 to Sheet 4.
20. Provide a detail of the monumentation at the north Point of Curvature of the southeast corner.
21. Show the street name as S. Park Street.
22. 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 include 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 Heidi Radlinger of the Office of Real Estate Services at 266-6558 if you have any questions regarding the following five (5) items:

23. OWNER'S CERTIFICATION

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). The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report.

24. CERTIFICATE AND CONSENT REQUIREMENTS

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).

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.

City of Madison Plan Commission Certificate: Secretary of Plan Commission is Matthew Wachter

25. REAL ESTATE TAXES AND SPECIAL ASSESSMENTS

2022 real estate taxes are paid 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.

As of the date of this letter there are no special assessments reported on the subject parcels. If special assessments are levied against the property during the review period prior to CSM approval sign-off they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.

26. TITLE REPORT UPDATE

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.

Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger 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 (3/23/2023) 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.

27. COPY OF RECORDED CSM

The owner shall email the document number of the recorded CSM to Heidi Radlinger as soon as the recording information is available.

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 25, 2023 meeting.

Please follow the procedures listed below for your certified survey map:

1. 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.
2. 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.
3. 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 243-0554.

Sincerely,

A handwritten signature in black ink that reads "Lisa McNabola". The signature is written in a cursive, flowing style.

Lisa McNabola
Planner

cc: Timothy Troester, City Engineering Division
Jeffrey Quamme, City Engineering Division—Mapping Section
Jeff Belshaw, Water Utility
Heidi Radlinger, Office of Real Estate Services
Sean Malloy, Traffic Engineering
Jacob Moskowitz, Assistant Zoning Administrator
William Sullivan, Fire Department