



Department of Planning & Community & Economic Development

Planning Division

William Fruhling, Interim Director

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

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

April 17, 2024

Scott Anderson
Snyder & Associates
5010 Voges Road
Madison, Wisconsin 53718

RE: LNDCSM-2023-00037; ID 80433 – Certified Survey Map – 5105 N Sherman Avenue (Cherokee Park, Inc.)

Dear Scott,

At its April 8, 2024 meeting, the Plan Commission found the standards met and **approved** your Certified Survey Map of property located at 5105 N Sherman Avenue 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 April 16, 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 Brenda Stanley of the City Engineering Division at (608) 261-9127 if you have questions regarding the following five (5) items:

1. 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.
2. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM, contact either Tim Troester (West) at (608) 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).
3. Each proposed lot shall be served by a separate sanitary sewer lateral.
4. Add the following note to the CSM: " Each lot shall be individually responsible for compliance with Madison Ordinance Chapter 37 requirements."
5. Add the following note to the CSM: " No change in grades shall be allowed without the approval of the City Engineer."

Please contact Jeffrey Quamme of the City Engineering Division–Mapping Section at (608) 266-4097 if you have questions regarding the following sixteen (16) items:

6. Show and label the existing 30-foot wide sanitary sewer easements per Document No. 1275734, 1275735 (MMSD) and also those granted on Certified Survey Map 14762 that exist within this proposed site development, most specifically needed is the North-South portion over the westerly side of the site near N. Sherman Avenue.
7. Grant a 15-foot wide Permanent Limited Easement for grading and sloping along N Sherman Avenue. Insert the same text for the easement terms as were used on CSM 14762 on this CSM.
8. There is an existing Encroachment agreement for a water lateral within N Sherman Avenue per Document No. 5323045. An amendment to the existing encroachment agreement per Doc No 5323045 is in process as Real Estate Project No. 11201. Note the existing or new encroachment area on the Certified Survey Map dependent on the status of the amendment execution and recording.
9. Provide proper Corporate Owners Certificate on the Certified Survey Map.
10. Provide a completed Consent of Corporate Mortgagee Certificate on the CSM.
11. Show the north line of Section 19 on Sheet 2 to delineate the two separate easement areas of the sewer easement areas for Document Nos. 1275735 and 1275734. Also show the sides/extents of the sewer easements on Sheet 2.
12. 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).
13. Prior to Engineering final sign-off by main office for Certified Survey Maps, the final CSM shall be submitted in PDF format by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal shall occur a minimum of two working days prior to final Engineering Division sign-off.
14. Conditions of approval noted herein are not intended to be construed as a review determining full compliance with City of Madison Ordinances and State of Wisconsin Statutes. The licensed professional preparing the land division is fully responsible for full compliance with all Ordinances and Statutes regulating this proposed land division.
15. Show and label the existing adjoining street of Country Club Lane west of the CSM.
16. Add text to the label for map on Sheet 2 to include "Site Improvements".
17. Correct the existing north right of way of Wheeler Road west of this CSM to the existing 66-foot right of way. The current CSM shows the previous proposed dedicated right of way. Also label the centerline of Wheeler Road.

18. There is a new wetland delineation from 2023 provided as part of the development plan for lands within this CSM. This CSM should utilize the most current delineation boundary and related buffer areas and make revisions as appropriate.
19. Change the Secretary of the Plan Commission to Matthew Wachter.
20. 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.
21. The applicant shall submit to Jeff Quamme, 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 any questions regarding the following item:

22. The applicant shall dedicate seven (7) feet of right of way along their frontage of Wheeler Road for a total of 40 feet from the centerline.

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

23. Upon development, a separate water service lateral and water meter will be required to serve each parcel. The water laterals shall be directly connected to the public water main with the shut-off valve located in the public right of way (per PSC 185.52 (2)). A water lateral is not required if the parcel remains undeveloped.

Please contact Lance Vest of the Office of Real Estate Services at (608) 245-5794 if you have any questions regarding the following six (6) items:

24. 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 final approval sign-off.

25. 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).

26. Revise the Plan Commission certificate as follows:

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

By: _____ Date: _____
Matthew Wachter, Secretary of the Plan Commission

27. As of March 29, 2024, the 2023 real estate taxes are due for the subject property. There are no special assessments reported. Per 236.21(3) Wis. Stats. and MGO Section 16.23, the property owner shall pay all real estate taxes and special assessments that are due and payable prior to CSM recording. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off.

28. Pursuant to MGO Section 16.23(4)(f), the owner shall furnish an updated title report to Lance Vest (lvest@cityofmadison.com), 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. The 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.

29. Depict, name, and identify by document number all existing easements cited in record title and the title report. In particular, depict or include a reference to the easement recorded as Document No. 2278981.

Please contact my office at (608) 261-9632 if you have questions about the following item:

30. The final CSM shall show the wetlands as depicted in the 2023 delineation and provide a 75-foot wetland setback for those wetlands. Consistent with the conditions outlined in CARPC Resolution 2008-15, the buffer/ setbacks shall be no-mow and fertilizer/pesticide-free to prevent discharge of nutrients into Cherokee Marsh.

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 construct new buildings on the subject site. A letter with the conditions of approval for the related development 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.

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) 261-9632 or tparks@cityofmadison.com.

Sincerely,



Timothy M. Parks
Planner

cc: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division—Mapping Section
Sean Malloy, Traffic Engineering Division
Jeff Belshaw, Madison Water Utility
Lance Vest, Office of Real Estate Services