



Department of Planning & Community & Economic Development

Planning Division

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July 22, 2024

Kevin Pape
Vierbicher
999 Fourier Drive, Suite 201
Madison, Wisconsin 53717

RE: LNDSCM-2024-00026 | ID [83531](#) – Certified Survey Map – 306 N Brooks Street (LZ Ventures, LLC; John Leja)

Dear Kevin;

At its July 8, 2024 meeting, the Plan Commission found the standards met and **approved** your one-lot Certified Survey Map of property generally addressed as 306 N Brooks Street, Section 23, Township 7N, Range 9E, 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 July 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 Timothy Troester of the City Engineering Division–Main Office at (608) 267-1995 if you have any questions regarding the following four (4) 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 street and alley pavement to a plan as approved by City Engineer.
3. 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.
4. 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).

Please contact Julius Smith of the City Engineering Division–Mapping Section, at (608) 264-9276 if you have questions regarding the following thirteen (13) items:

5. Grant a Public Sidewalk Easement to the City on the face of this Certified Survey Map along W. Johnson St. and N. Brooks St. the final location and width to be approved by City Engineering and Traffic Engineering. Contact Jule Smith (jsmith4@cityofmadison.com) with Engineering Mapping for the final language to be included on the face of the map. Note the Easement along N. Brooks St. shall be at a minimum 1' behind the existing back of sidewalk, but is up to the final approval and requirements of City Engineering and Traffic Engineering
6. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final plat.
7. Note the original document that set forth the rights for the joint driveway easement per Document No. 4403778 and document No.4409641. Additionally note somewhere that the agreement subjected the parcel to a parking agreement.
8. The concurrent proposed developments location appears to conflict the 6' wide underground electrical easement per Document No. 3605277 this document should be released, and removed from the CSM after the release has been recorded. If not a note should be made that is location has been show by location of the actual facilities and the recorded as 30' distances shall be shown for L1 and L3
9. Note Parcel is Subject to Land Use Restriction Agreement Recorded as Document No. 2937168. It appears this agreement will require it to be released to allow for the development to proceed.
10. Add the City of Madison as a Cooperate Mortgagee for this CSM
11. 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 any required U.S. public land survey monument record provided to the County Surveyor's Office, or, in instances where a public the monuments and witness ties area recovered under A-E 7.08(1g), the Surveyor shall provide to the City of Madison monument condition reports (with current tie sheet attached) for all Public Land Survey monuments, including center of sections of record, used in this survey, to Julius Smith (JSmith4@cityofmadison.com) of City Engineering, Land Information.
12. 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. Visit the Dane County Surveyor's Office (web address <https://www.countyofdane.com/PLANDEV/records/surveyor.aspx>) for current tie sheets and control data that has been provided by the City of Madison.
13. 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 Jule Smith (jsmith4@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.

14. Per A-E 7.05(11) list the Datum and Adjustment of the coordinate system used. eg. NAD83(97) or (2011)
15. Along the West line of the parcel show the recorded as bearing and distance from Conklin Replat of N1°18'E 166.35' and the recorded as distance of 105.0' along the South lines of lots 4-6.
16. 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 and early start permits for new construction.
17. Submit to Jule Smith, 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, 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 Luke Peters of the Traffic Engineering Division at (608) 266-6543 if you have any questions regarding the following two (2) items:

18. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a minimum eight (8)-foot wide sidewalk, six (6)-foot terrace, and additional one (1) foot for maintenance, where applicable, along their site's frontage of East Johnson Street.
19. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a minimum five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance, where applicable, along their site's frontage of North Brooks Street.

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

20. 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 Central Park-Infrastructure Impact Fee district. Please reference ID# 24032 when contacting Parks about this project.

21. 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."
22. The Parks Division shall be required to sign off on this CSM.

Please contact Heidi Radlinger of the Office of Real Estate Services at (608) 266-6558 if you have any questions regarding the following six (6) items:

23. Prior to approval sign-off by the Office of Real Estate Services, the Owner's Certificate 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.

A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

24. 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.

25. If the lands within the CSM boundary are partially located within a Tax Incremental Financing District, discussions with Joe Gromacki, the City of Madison's tax increment financing coordinator, may be necessary before recording the CSM if a TIF application is required. Mr. Gromacki can be reached at 608-267-8724 or jgromacki@cityofmadison.com.
26. There are no special assessments reported on the subject parcel. 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.

27. 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 (4/15/24) 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.

28. 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.

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 may be of any further assistance, please do not hesitate to contact my office at (608) 261-9135 or cwells@cityofmadison.com.

Sincerely,



Chris Wells
Planner

cc: Timothy Troester, City Engineering Division
Julius Smith, City Engineering Division—Mapping Section
Luke Peters, Traffic Engineering Division
Ann Freiwald, Parks Division
Jeff Belshaw, Water Utility
Heidi Radlinger, Office of Real Estate Services