



Department of Planning & Community & Economic Development

Planning Division

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April 18, 2016

James Leedom
The Sigma Group, Inc.
1300 W. Canal Street
Milwaukee, Wisconsin 53233

RE: LNDSCM-2016-00001 – Certified Survey Map – 5401 Tancho Drive (Wisconsin Apartments III, LLC)

Dear Mr. Leedom;

The two-lot certified survey of property located at 5401 Tancho Drive, Section 14, Township 8N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned 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 Brenda Stanley of the City Engineering Division at 261-9127 if you have questions regarding the following three (3) items:

- 1.) 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 2 working days prior to requesting City Engineering signoff.
- 2.) All outstanding City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. This property is subject to Sanitary Connection charges for the Portage Interceptor District.
- 3.) A minimum of 2 working days prior to requesting City Engineering signoff on the CSM the applicant shall contact 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).

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following twenty-two (22) items:

- 4.) The 34-foot wide Ingress/Egress Easement per Doc No. 3225134 (incorrectly noted as Document No. 3048087 on the current CSM) shall be amended by a separate document recorded at the register of deeds. The current easement does not align with the newly proposed development for this site. The

new easement area shall be shown, noted, dimensioned and the document number noted on the Certified Survey Map per the amended and recorded easement document. The easement amendment shall also provide the rights and responsibilities of all interested parties in regard to the construction, maintenance and use of the easement area and the associated improvements.

- 5.) The lots within this certified survey map are inter-dependent upon one another for storm water runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the certified survey map and recorded at the Dane County Register of Deeds.
- 6.) Comments on the review of the proposed site require the proposed sanitary sewer within this site be public. Therefore, the Public Water Main Easement shown on this CSM shall be expanded to also include the sanitary sewer and renamed to be a Public Sanitary Sewer and Public Water Main Easement.
- 7.) Insert the standard language pre MGO Section 16.23(9)(d)2.a. verbatim. If this is done, all of the previous non-exclusive easements lying within this CSM as set forth by Document Nos. 2741612, 3048087 and 3225134 for drainage easements are released and new drainage easements are then defined by the current proposed Certified Survey Map. Remove notes 4 and 5 and insert the standard Ordinance language and an additional note referencing the previous land divisions/CSM's that set forth easements to be released that lie within this CSM. Also remove all former drainage easements shown on the CSM to avoid confusion.
- 8.) The Storm Water Retention Pond Cross Easement per Document No. 3225218 shall be amended to include the area of the current second pond from the west along the south side of the CSM that lies outside of the easement. The amendment shall be recorded prior to the approval of the CSM and shown on the final Certified Survey Map.
- 9.) 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 condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering Division. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The applicant shall identify monument types on all PLS corners included on the plat or CSM. Note: Land tie to two PLS corners required.
- 10.) The CSM requires new Public (Sanitary Sewer, Water main, Bike Pedestrian Path and Temporary Limited Easement for Grading and sloping) to be granted on the face of the land division. Contact Engineering (Jeff Quamme - jrquamme@cityofmadison.com) to receive the required easement terms/conditions language for inclusion on the face of this CSM.
- 11.) 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. City of Madison has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the Dane County Surveyor's Office web address for current tie sheets and control data that has been provided by the City of

Madison. If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact the Engineering Division for this information.

- 12.) The applicant shall submit to Jeff Quamme, prior to Engineering sign-off of the subject CSM, one (1) digital CADD drawing and one (1) signed copy of the final CSM to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe PDF format. The digital CADD file shall be submitted in the WISDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.

*New electronic final plat transmittals and notification of changes which occur to the final plat during the time the Engineering Division signs off and receives the digital copies of said plat and the recording thereof, are the responsibility of the Developer/Surveyor.

- 13.) In accordance with Section s.236.34(1m) (c) which states a CSM shall be prepared in accordance with the plat requirements stated per s.236.20(2)(c) & (f), Wisconsin Statutes, the applicant must show the type, location and width of any and all easements on the CSM. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements which are being conveyed by the CSM. Identify the owner and/or benefiting interest of all easements. Include any and all language required to properly and legally create any easement by the CSM.
- 14.) This pending Certified Survey Map application shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
- 15.) Provide required monumentation for the two lot corners along US Highway 151 as required by statute.
- 16.) Revise the radius for the curve on Tancho Drive from 420.01 to 420.00 feet. Also show the main chord and tangent bearings of the curve as required by statute.
- 17.) The location of the CSM shall be indicated by bearing and distance from a boundary line of a quarter section, recorded private claim or federal reservation in which the subdivision is located. The monuments at the ends of the boundary line shall be described and the bearing and distance between them shown.

- 18.) Indicate within each of notes 6 through 8 that are on Sheet 6 that those notes are per the 1999 Replat of Porter Plat.
- 19.) The Public Bike/Ped path easement shall be modified at the bend points to allow for the final approved design radii that will be introduced at those corners. Final grades within the easement shall be reviewed and approved by City Engineering prior to final site plan sign off. Also provide a 10-foot Temporary Limited Easement adjacent to the bike/ped easement within the CSM for future final construction. Coordinate the required radii and grades with Engineering staff.
- 20.) Add a note that this Certified Survey Map is subject to a Noise and Aviation Easement and Non-Suit Covenant per Document No. 3018366.
- 21.) Add Document Nos. 3225134 and 3048087 to the 50-foot Highway Setback Line notes on the Map. Also have the notes refer to Note 6 and sheet 6.
- 22.) Add the Document Nos. 3048087, 3225134 and 2741612 to the label for the 300-foot Buffer Area shown on the map.
- 23.) Add a note that US Highway 151 is an Access-Controlled Highway.
- 24.) Correct the Document No. for the 12-foot wide Utility Easement along Tancho Drive to Document No. 3048087.
- 25.) Better and more clearly show the limits of the Traffic Circle Ingress and Egress Cross Easement per Document No. 3254673. A separate detail is advised for the access related easements for clarity.
- 26.) Add the Affidavit of Correction per Document No. 5102253 to the Public Sanitary Sewer and Water Main Easement. A separate detail of utility based easements is suggested to be created separate from the access related easements to allow clarity.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following two (2) items:

- 27.) All public water mains and water service laterals shall be installed by a standard City subdivision contract.
- 28.) All operating private wells shall be identified and permitted by the Water Utility and all unused private wells shall be abandoned in accordance with MGO Section 13.21.

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:

- 29.) Fire Department access lanes are required for the proposed buildings located on Lot 1. The ingress/egress easement shall include any and all fire lane access roads. Current easement does not appear capable of incorporating the required turn radii and the minimum 26 feet of width at fire hydrants and possibility aerial access lanes.

Please contact Janet Schmidt of the Parks Division at 261-9688 if you have any questions regarding the following four (4) items:

- 30.) Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. The developer must select a method for payment of park fees before sign off on the rezoning. This development is within the Reindahl impact fee district. Please reference ID# 16105 when contacting Parks Division staff about this project.
- 31.) The developer shall dedicate the necessary Permanent Limited Easement and necessary Temporary Limited Easement for the construction of a public bike path to be located jointly on the Developer's property and on the City Park Land. The Developer may opt to rough grade the shared property line to a grade provided by the City Engineer, to allow for the construction of the path in the future in lieu of providing Temporary Grading Easements.
- 32.) The developer shall put the following note on the face of the subdivision CSM or development plans:
"Lots / buildings within this subdivision / development are subject to impact fees that are due and payable at the time building permit(s) are issued."
- 33.) The Parks Division will be required to sign off on this CSM prior to the issuance of building permits for the development.

Please contact Jenny Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following six (6) items:

- 34.) Signature block certifications shall be executed by all parties of interest, pursuant to Wis. Stats. 236.21(2)(a) prior to agency approval sign-off. All signatory parties shall provide documentation that proves said signatories have legal authority to sign the Owner's Certificate. The title of each certificate shall be consistent with the ownership interest reported in the most recent title report. The executed original hard stock recordable CSM shall be presented at the time of sign-off.
- 35.) If any mortgages are secured during the CSM application review period, include a Consent of Mortgagee to be executed by any and all mortgagees prior to CSM approval sign-off.
- 36.) As of February 12, 2016, the second installment of the 2015 real estate taxes are owed 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 reported, including tax bills 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.
- 37.) As of February 12, 2016, there are no special assessments reported. If any special assessments are levied against the property during the CSM application review period, they shall be paid in full prior to agency approval sign-off.
- 38.) Please coordinate with Tim Troester (267-1995) or Brenda Stanley (261-9127) in the City Engineering Division to obtain any outstanding storm water management fees from the City of Madison Water

Utility. Receipts for the payment of the prorated fee shall be presented prior to CSM approval sign-off.

39.) The CSM shall be revised prior to sign-off as follows:

- a.) Carry over all applicable Notes from prior plats and CSM No. 8121.
- b.) Include non-traceable documents cited in the title report in the Notes section on Sheet 6.
- c.) Include the document number for the 1999 Replat of Porter Plat in the labels for the noise abatement berm limits.
- d.) Include the document number for the Porter Plat in the label for the 50' Highway setback line.
- e.) Include the document number for the Porter Plat in the access restriction label along Highway 151 along with the description of Document No. 1368501 shown on CSM No. 8121.
- f.) Separate overlapping text and line work on Sheet 2 to legibly show Doc. No. 2244902 and the 6" drainage easement document number along the south plat border.
- g.) Revise document number in the label for the ingress/egress easement to Doc. No. 3225134.
- h.) Include a certificate for the Dane County Register of Deeds for the insertion of recording info.
- i.) An easement release document shall be prepared and recorded by the Office of Real Estate Services prior to CSM recording for the release of existing drainage easements created by prior plats and CSM. Exhibits and fees shall be provided as specified by Jeff Quamme in City Engineering.

Note: Approval of this CSM does not confer approval to construct new buildings on the site. Conditional approval for those activities was granted by the Plan Commission and Common Council separately and will be subject to separate conditions to be satisfied prior to issuance of permits for construction activities.

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 on April 19, 2016.

As soon as the comments and conditions have been satisfied as verified with a completed affidavit form (attached), 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 jquamme@cityofmadison.com.

Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Jenny Frese in City's Office of Real Estate Services (jfrese@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 (February 5, 2016) submitted with the CSM application and include all associated documents that have been recorded since the initial title report. The surveyor shall update the CSM with the most recent information reported in the title update.

Upon acceptance and recording of the Certified Survey Map by the Dane County Register of Deeds, please transfer the recorded volume, document number, and page numbers to the copies and forward a copy to this office for our records. The original survey map with the recording information is permanently kept on file in the Dane County Register of Deeds Office. A copy of the recorded document can be obtained from the Register of Deeds Office, Room 110, City-County Building or the Real Estate Office in the Madison Department of Planning and Development.

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: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division—Mapping Section
Sally Sweeney, City Assessor's Office
Janet Schmidt, Parks Division
Chris Wells, Planning Division
Dennis Cawley, Madison Water Utility
Bill Sullivan, Madison Fire Department
Jenny Frese, Office of Real Estate Services