



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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March 1, 2018

Mark Pynnonen
Birrenkott Surveying, Inc.
1677 N. Bristol Street
Sun Prairie, Wisconsin 53590

RE: LNDCSM-2018-00001; ID 50106 – Certified Survey Map – 1904 Wheeler Road (Cherokee Park, Inc.)

Dear Mr. Pynnonen;

On February 19, 2018, the City of Madison Plan Commission **conditionally approved** your two-lot Certified Survey Map of property located at 1904 Wheeler Road, Section 18, Township 8N, Range 10E, City of Madison, Dane County, Wisconsin. The property is zoned A (Agricultural District). 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 on February 27, 2018.

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 eight (8) items:

1. A portion of this project comes under the jurisdiction of the US Army Corp. of Engineers and WDNR for wetland or floodplain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional floodplain.
2. A wetland delineation shall be required prior to recording this CSM. Submit the delineation to City Engineering, attention Greg Fries. This delineation shall be shown on the CSM
3. 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 two (2) working days prior to requesting City Engineering sign-off.
4. A minimum of two (2) working days prior to requesting City Engineering Division signoff on the CSM the applicant shall contact either Tim Troester at 261-1995 (ttroester@cityofmadison.com) or 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).

5. The following note shall be added to the Certified Survey Map: "All lots created by this certified survey map are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to storm water management at the time they develop."
6. The construction of this project will require that the applicant shall enter into a City/ Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Note: Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum. The applicant may enter into a future phase agreement to install public improvements to Lot 1.
7. The applicant shall execute a waiver of notice and hearing on the assessments for the improvement of Wheeler Road in accordance with Section 66.0703(7)(b) Wisconsin Statutes and MGO Section 4.09.
8. The applicant shall construct sidewalk to a plan approved by the City along Lot 1.

Please contact Jeff Quamme of the City Engineering Division—Mapping Section at 266-4097 if you have questions regarding the following fourteen (14) items:

9. The existing right of ways of N. Sherman Avenue and Wheeler Road within this CSM shall be dedicated to the public. Also, an additional 7 feet of width shall be dedicated for public street along the north side of Wheeler Road.
10. The applicant shall dedicate a 30-foot wide strip of right of way along the eastern lot line of Lot 2 between Dennis Drive and Larry Lane.
11. The applicant shall dedicate a Permanent Limited Easement for grading and sloping 15 feet wide along newly dedicated right of way between Dennis Drive and Larry Lane.
12. Larry Lane and the Outlots of CSM 12603 along the east side of this CSM shall be shown. Also the configuration of the Wheeler and Packers Avenue right of ways shall be correctly shown at the southeasterly corner of this CSM.
13. The adjoining plat and dedicated streets of The Turn and CSM 2225 shall be shown and noted west of this CSM.
14. All roads are to be dedicated to the public. Remove all "Gross" lot areas from the map.
15. Dimension the centerline of the MMSD Sanitary Sewer Easement per Document Nos. 1275733 and 1275734. Additionally, add centered on the centerline of those MMSD easements, a 30-foot wide Public Sanitary Sewer Easement in favor of the City of Madison and the Madison Metropolitan Sewerage District.

16. The title report is missing approximately the southern 1,000 feet of the lands within this proposed CSM. Also, MMSD sewer easements per Document Nos.1275733 and 1275734 are missing. Provide an updated title report prior to submittal for sign off.
17. The delineated wetland boundary and the required buffer shall be shown on the Certified Survey Map.
18. Provide recorded as information along the boundary of adjacent land divisions bordering the CSM.
19. A note shall be added under all of the street names labeled and to be dedicated on the CSM, "Dedicated to the Public" as required by 236.20(4)(b).
20. The land contract Vendee and Vendor Certificates shall be added per the existing land contract on part of the property within the CSM
21. 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.
22. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat 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).

*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 and a written notification to Engineering-Mapping for any changes to the plat which occur subsequent to any original submittal of data and prior to final sign off.

Please contact my office at 261-9632 if you have questions about the following three (3) items:

23. The CSM shall be revised to dedicate 30 feet of right of way for a future public street to extend along the eastern line of proposed Lot 2 from the northern right of way line of Dennis Drive to the southern right of way line of platted Larry Lane according to a design approved by the Planning Division and City Engineering Division. The resulting north-south street segment is consistent with the location of a street proposed along the eastern property line in the [Cherokee Special Area Plan](#). In the alternative, the applicant may petition that the Plan Commission allow cul-de-sacs at the western ends of both streets if the Commission can find that topography or other unique physical feature makes the cul-de-sacs the only, or most logical, street layout.

24. The CSM shall be revised to show all existing buildings, structures, watercourses, drainage ditches and other features as required by the Subdivision Regulations, including the driving range tee boxes and shelter structure, tennis courts, parking area, and driveway from N. Sherman Avenue.
25. Note: Following recording of the CSM, Planning staff will submit a zoning map amendment to zone the proposed park lot to the CN (Conservancy) district.

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:

26. Two signature block certifications shall be included for the existing ownership interests. Revise the certificate for Cherokee Property Development, LLC to clarify their interest as Purchaser to a Land Contract with Cherokee Park, Inc. as vendor. Both certificates 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 at the time of execution. 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.
27. There are mortgages of record for this property. A certificate of consent for all mortgagees shall be included following the Owner's Certificate(s) and executed prior to CSM approval sign-off.
28. An Environmental Site Assessment is being prepared for this property and should be available for review by City staff on February 26, 2018.
29. As of February 1, 2018, the 2017 real estate taxes are not paid for the subject property. Per 236.21(3) Wis. Stats. and Madison General Ordinances Section 16.23(5)(g)(1), 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.
30. As of February 1, 2018, 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.
31. 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 (December 28, 2017) 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.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

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 jrquamme@cityofmadison.com.

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
Kay Rutledge, Parks Division
Jenny Kirchgatter, Assistant Zoning Administrator
Jenny Frese, Office of Real Estate Services