



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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August 1, 2018

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

RE: ID 52213 | LNDSCM-2018-00024 – Certified Survey Map – 3200-3212 Commercial Avenue

Dear Ms. Burse;

The one-lot Certified Survey Map for property located at 3200-3212 Commercial Avenue, Section 32, Township 8N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The subject property is zoned TE (Traditional Employment 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 Engineering Division at (608) 261-9127 if you have questions regarding the following seven (7) items:

1. All outstanding 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. An erosion control plan and permit shall be submitted to the Engineering Division for review and approval prior to grading or any other construction activities. The Preconstruction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5-tons per acre per year.
3. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION)

4. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact either Tim Troester at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley 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. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)
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. Based on WDNR records, the property may contain residual contaminated soil (BRRTS #0313002516, #0313000304. If contaminated soil is encountered as part of this redevelopment, all WDNR and DSPS regulations shall be followed for proper handling and disposal.
7. The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of Rethke Ave and Commercial Ave in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO. (MGO 16.23(9)(d)(6))

Please contact Jeff Quamme of the Engineering–Mapping Section at (608) 266-4097 if you have any questions regarding the following five (5) items:

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| <ol style="list-style-type: none">8. The north right of way of Commercial Avenue (STH 30) is incorrect at the southwest corner of the CSM by approximately two feet. Also the bearing of the same right of way appears to be skewed. Coordinate with Jeff Quamme (jrquamme@cityofmadison.com) The reference line of STH 30 shall be established to correctly place this right of way.9. The Applicant shall grant a Permanent Limited Easement for grading and sloping 15 feet wide along Rethke Ave & Commercial Ave. Contact Jeff Quamme (jrquamme@cityofmadison.com) for required language. |
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10. The CSM shows the right of way of STH width to vary. This shall be revised to show the fixed width of 160' from the reference line of STH 30
 11. The CSM shall also note the position of the north quarter corner of the closing corner of section 5 to the south. Also correct the label for the south quarter corner to be for section 32 and not 12.
 12. The west 5' portion of the easement for storm sewer over the easterly area of this CSM was granted by Doc. No. 977118. The east 5' portion was granted by Doc. No. 977117. This shall be corrected on the map, within the notes on sheet 4 and on the revised title report.
 13. Add all missing recorded as information from all records and title to the map. Also correct the spelling of easement for the 20' wide Ingress/Egress Easement.
 14. Add a note to the CSM that access is only permitted to the service road within the STH 30 right of way only.

15. Add Document No 2621502 to the 24' Joint Driveway Easement label.
16. Remove the MG&E easement note on sheet 4 per Doc 2559608, as it does not encumber this proposed CSM. Have it removed from the revised title report.
17. 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 must submit copies of required tie sheets or monument condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com). 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 and shall be attached to a signed and sealed monument condition report.
18. 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.
19. The Applicant shall submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat/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:
 - 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. 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.

20. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM must be submitted to 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 sign-off. Electronic mail submittal of the FINAL Plat or CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com

21. A 10-foot wide easement for Public Storm Sewer shall be granted over the west 10 feet and south 10 feet of this Certified Survey map.
22. A loading dock is planned that will encroach into the storm sewer easement per Doc No 977118. Applicant shall provide a Map Exhibit detailing the proposed encroachment and information regarding the proposed dock to be constructed to Jeff Quamme. Upon the approval of the exhibit and receipt of \$500 for administrative fees, a Real Estate project will be set up to draft and administer a Consent to Occupy Easement Agreement.

Please contact Lance Vest of the Office of Real Estate Services at (608) 245-5794 if you have any questions regarding the following seven (7) items:

23. OWNER'S CERTIFICATION -- Signature block certifications 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.
24. MORTGAGEE/VENDOR CERTIFICATION -- A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to CSM approval sign-off.
25. CERTIFICATE AND CONSENT REQUIREMENTS
 - a. All ownership consents and certifications for the subject lands shall conform to Wis. Stats. 236.21(2) and 236.29 by including the language ...surveyed, divided, mapped and dedicated....
 - b. 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.
 - c. City of Madison Plan Commission Certificate: Pursuant to Madison City Ordinance Section 16.23(7)(d)3 and Wis. Stats. 236.21(2) (a), all CSM's that are subject to the review and approval of the City of Madison shall contain the certificate of approval of the Plan Commission. Please modify certificate from "Planning" to "Plan".
26. REAL ESTATE TAXES -- As of 07/11/18, 2017 real estate taxes in the combined total amount of \$2,567.59 are due for both tax parcels included in this CSM.

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. Payment is made to:

City of Madison Treasurer
210 Martin Luther King, Jr. Blvd.
Madison, WI 53701

27. SPECIAL ASSESSMENTS -- As of 07/11/18, 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.
28. TITLE REPORT UPDATE -- Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Lance Vest in City's Office of Real Estate Services (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 (05/30/18) 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.
29. CSM REVISION REQUIREMENTS
- It appears that document Nos. 977117 and 977118 were omitted from the title report. Please ask the title company to include these documents if they still encumber the property. Clearly show the limits of these easements in relation to the easement per document No. 977116.
 - The legal description for document No. 2559608 lies outside of the CSM boundary. Please ask the title company to remove when the title report is updated.

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 August 7, 2018.

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 (608) 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 (608) 261-9135.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Wells". The signature is fluid and cursive, with the first name "Chris" and last name "Wells" clearly distinguishable.

Chris Wells
Development Project Planner

cc: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division—Mapping Section
Lance Vest, Office of Real Estate Services