



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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January 30, 2019

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

RE: ID 54039 | LNDCSM-2018-00047 – Certified Survey Map – 1936-1938 Atwood Avenue

Dear Ms. Burse;

The one-lot Certified Survey Map for property located at 1936-1938 Atwood Avenue, Section 6, Township 7N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The subject property is zoned TSS (Traditional Shopping Street 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 four (4) 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. 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](mailto:ttroester@cityofmadison.com)) or Brenda Stanley at 608-261-9127 ([bstanley@cityofmadison.com](mailto: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)
3. The property at 110 S Second Street shares drainage with the proposed lot and is dependent upon the proposed lot for storm water runoff conveyance, and/or a private drainage. 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 Co Register of Deeds. (POLICY)
4. The existing bio swale system requires a maintenance agreement with the City of Madison, which will need to be recorded at the Dane County Register of Deeds.

**Please contact Jeff Quamme of the Engineering–Mapping Section at (608) 266-4097 if you have any questions regarding the following fourteen (14) items:**

5. If the Bio-swales in the rear of this property serve any other property, an agreement shall be recorded and referenced on this Certified Survey Map.
6. The common driveway along the southwesterly side is to be removed as part of the proposed redevelopment. The Joint Driveway Easement per Doc No. 681451 shall be released by recorded document prior to sign off of the development. If released prior to final CSM sign off, reference shall be removed from the Certified Survey Map.
7. The Declaration of Easements, Covenants, Conditions and Restrictions per Doc No. 3065012 and amended by 4201503 shall be amended and/or released to accommodate the changes due to the proposed development within this CSM. The document shall provide the new proposed shared access, any shared parking and the shared trash enclosure with 110 S Second Street. If recorded prior to the final sign off for this CSM, it shall be referenced on the CSM.
8. There shall be an agreement for the shared drainage between this proposed CSM and the property at 110 S Second Street.
9. Remove note reference to the weatherization stipulation per Doc No 2599639. Also remove the note regarding Doc No 906604 as with the quit claim per Doc 4201507 these rights are not within any lands within this CSM.
10. It shall be determined if the stormwater maintenance agreement per Doc No. 4052456 includes any stormwater facilities lying within this CSM. If it does, a cross drainage and maintenance shall be recorded. Either way the storm water management agreement shall be revised to address the proposed CSM by either removing lands within this CSM from the agreement or acknowledging the cross drainage and maintenance agreement that would be required to maintain any facilities within this CSM.
11. The MG&E right of way per Doc No 5043813 does not encumber this CSM and shall be removed from the notes on sheet 5.
12. It shall be determined if the stormwater maintenance agreement per Doc No 5078550 is for facilities that may be within this proposed CSM. The agreement shall be amended accordingly prior to final CSM sign off.
13. 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 for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering ([jrquamme@cityofmadison.com](mailto: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. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. Note: Land tie to two PLS corners required.

14. 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.

15. 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](mailto:jrquamme@cityofmadison.com)
16. 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.
17. The property conveyed and attached to lands at 1960 Atwood Avenue per Doc No. 4201507 was not excepted from the title work for this CSM. The title report shall be updated to acknowledge this conveyance.
18. The Owners Certificate indicates 1938 Atwood Avenue LLC as the owner. Current Assessor's data shows VS of Madison LLP & Atwood Avenue Property Group LLC. Record Deeds transferring property or reconcile Owners Certificate. Provide an updated title report prior to final CSM signoff.

**Please contact Sean Malloy, Traffic Engineering Division, at (608) 266-5987 if you have questions regarding the following one (1) item:**

19. The applicant shall install, or provide an executed copy of a cross-access agreement, a physical barrier of substantial material and construction to prevent vehicular movements onto and off of adjacent sites.

**Please contact Jacob Moskowitz, Assistant Zoning Administrator, at (608) 266-4560 if you have any questions regarding the following three (3) items:**

20. This development involves changes to the property to the west, which is a Planned Development. An alteration to this Planned Development must be approved and recorded.
21. The letter of intent states that the proposed project is 79 dwelling units, but some plan sheets show 85 dwelling units. Clarify the unit count, and submit plans for final sign off that are consistent throughout.
22. As each tenant space is leased, the entire development must reflect compliance in the required amount, type and number of auto and bicycle parking spaces, to be reviewed prior to obtaining zoning approval for each use.

**Please contact Kathleen Kane of the Parks Department at (608) 261-9671 if you have any questions regarding the following three (3) items:**

23. 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."
24. 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 East Park -Infrastructure Impact Fee district. Please reference ID# 18173 when contacting Parks about this project.
25. Parks Division will 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 eight (8) items:**

26. OWNERS 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). The title of each owners 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. MORTGAGEE CERTIFICATION

- a) A certificate of consent for all mortgagees shall be included following the Owner's Certificate(s) and executed prior to CSM approval sign-off.
- b) If a mortgage or other financial instrument is reported in record title, but has been satisfied or no longer encumbers the lands or ownership within the CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to CSM approval sign-off.

28. CERTIFICATE AND CONSENT REQUIREMENTS -- If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest please include a Certificate of Consent for the option holder.

29. REAL ESTATE TAXES AND SPECIAL ASSESSMENTS -- 2018 real estate taxes are outstanding for the subject parcels.

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

30. SPECIAL ASSESSMENTS -- Special assessments are reported on both parcels within the CSM area. All special assessments shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.

31. TITLE REPORT UPDATE -- Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger in City's Office of Real Estate Services ([hradlinger@cityofmadison.com](mailto:hradlinger@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 (11/19/2018) 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.

32. COPY OF RECORDED CSM -- The owner shall email the document number of the recorded CSM to Heidi Radlinger as soon as the recording information is available.

33. CSM REVISION REQUIREMENTS -- Remove notes regarding items that are not within the CSM area (see Engineering Mapping comments).

**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 February 5, 2019.**

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](mailto: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,

Chris Wells  
Development Project Planner

cc: Brenda Stanley, City Engineering Division  
Jeff Quamme, City Engineering Division–Mapping Section  
Sean Malloy, Traffic Engineering  
Jacob Moskowitz, Zoning  
Kathleen Kane, Parks Department  
Heidi Radlinger, Office of Real Estate Services