



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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**TO:** Transportation Commission  
Plan Commission

**FROM:** Tim Parks, Planner and Sydney Prusak, AICP, Planner

**DATE:** June 22, 2020

**SUBJECT:** Resolution ID [60349](#) – Approving a Certified Survey Map of property owned by Steward Properties, LLC and the State of Wisconsin Department of Transportation located at 4002 E Washington Avenue and 1821 Parkside Drive; 17th Ald. Dist.

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On April 22, 2020, a Certified Survey Map (CSM) was submitted on behalf of Steward Properties, LLC (“Steward”) to combine two parcels located at 4002 E Washington Avenue and 1821 Parkside Drive into one lot. The parcel at 4002 E Washington is owned by Steward, while the 1821 Parkside parcel is owned by the State of Wisconsin Department of Transportation (“WisDOT”). The site is developed with a vacant fast food restaurant, vehicle access sales and service window, and associated parking located on the Steward parcel, and with parking on the State parcel. Steward leases the parking on the WisDOT parcel. WisDOT has agreed in principle to sell 1821 to Steward, after which the CSM will be recorded to create the 1.14-acre Lot 1 shown.

Approval of land divisions or combinations by CSM is governed by MGO Section 16.23(5)(g), which includes the process by which City agencies comment on CSMs and how the Plan Commission or the Secretary of the Plan Commission or his/her designee approve the request. Following approval by the Plan Commission or Secretary or her/his designee, the necessary resolutions approving the survey and accepting the dedications contained therein shall be presented to the responsible governmental bodies for approval. In almost all cases, the “responsible governmental bod[y]” for land divisions is the Common Council.

On May 29, 2020, a letter of approval was sent to the applicant’s surveyor, which included the various conditions that would need to be met in order for the City to sign the final executed CSM and allow it to be recorded. That letter is attached to the resolution file as “CSM Letter.” A resolution approving the CSM and accepting any dedications was submitted for approval at the June 16, 2020 Common Council meeting but was referred to the Transportation Commission and Plan Commission for review.

Among the conditions of approval for the lot combination to be met prior to final approval and recording are requirements for the applicant to provide the documents needed for the City to initiate the vacation/discontinuance of portions of City right of way located on the 1821 Parkside parcel; for the applicant to reserve space for a future Bus Rapid Transit (BRT) station planned for the Portage Road/Thierer Road intersection, as shown on the adopted Locally Preferred Alternative map adopted by Resolution 20-00289 on March 31, 2020; dedicating additional right of way for and construction of a sidewalk along the west side of Portage Road adjacent to the site; and preserving the existing bus shelter located in the E Washington Avenue right of way.

City staff has reviewed the conditions of the proposed CSM and feel that they are appropriate to the request to combine the two unplatted parcels into one lot. As part of the related petition by the City to partially vacate/ discontinue its interests in the WisDOT parcel to allow it to be combined with the Steward parcel, the City anticipates identifying the right of way needed for the future BRT station planned for the Portage Road/ Thierer Road intersection of E Washington Avenue. Therefore, in exchange for the portion of Parkside Drive to be vacated and discontinued, the future vacation will be conditioned on the proposed CSM dedicating public street right of way for the construction of public sidewalk on the southwest side of Portage Road and the area required to accommodate a future BRT Station along the northwest side of East Washington Avenue, near the intersection with Portage Road. Dedication of that right of way will be shown on the final CSM prior to its recording. City staff is working with the applicant's surveyor on the maps and documentation needed to initiate the vacation/discontinuance petition and anticipates that a vacation resolution will be presented for approval later this summer.

In closing, staff recommends that the Transportation Commission return Resolution ID 60349 to the Plan Commission with a recommendation of approval, and that the Plan Commission recommend adoption of same to the Common Council subject to the conditions in the May 29 CSM approval letter.

cc: Tom Lynch, Department of Transportation  
Chris Petykowski, City Engineering Division  
Jeff Quamme, City Engineering Division  
Mike Cechvala, Metro Transit  
Doran Viste, Assistant City Attorney  
Heather Stouder, Planning Division

# 4002 E Washington Avenue - Transportation Related Improvements (Highlighted Areas Depict Conditions of Approval)

**BIRRENKOTT SURVEYING**

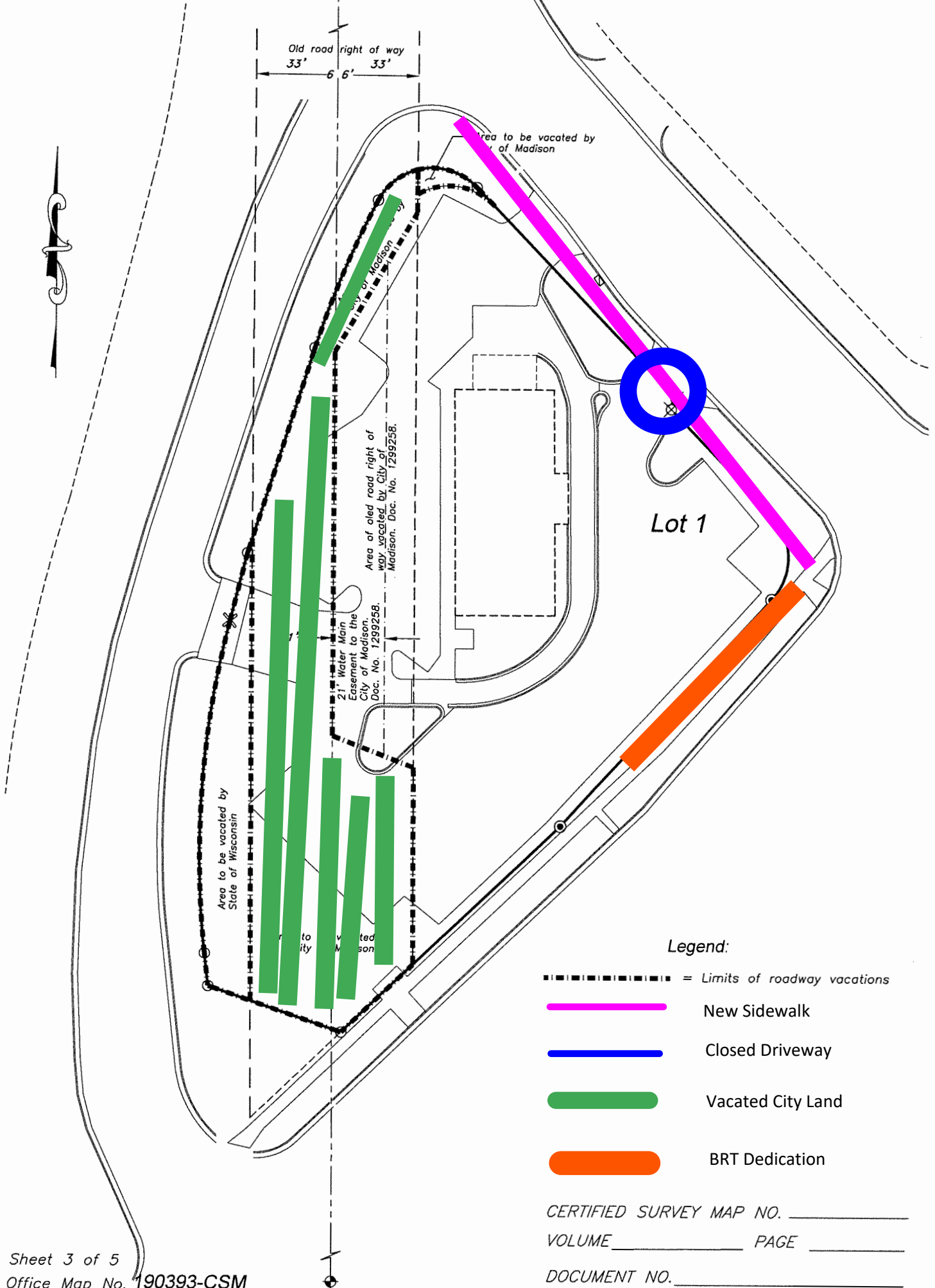
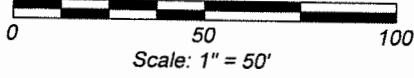
BIRRENKOTT SURVEYING INC.  
1677 N. BRISTOL STREET  
SUN PRAIRIE, WIS. 53590  
608-837-7463

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## CERTIFIED SURVEY MAP

Part of the Southeast 1/4 of the Southwest 1/4 and part of  
the Southwest 1/4 of the Southeast 1/4, Section 28, T8N,  
R10E, City of Madison, Dane County, Wisconsin



**Legend:**

-  = Limits of roadway vacations
-  New Sidewalk
-  Closed Driveway
-  Vacated City Land
-  BRT Dedication

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_

DOCUMENT NO. \_\_\_\_\_