



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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September 4, 2020

David N. Gullickson  
Vierbicher Associates, Inc.  
999 Fourier Drive, Suite 201  
Madison, Wisconsin 53717

RE: LNDCSM-2020-00036; ID 61386 – Certified Survey Map – 601 Bay View (Bay View Foundation)

Dear Mr. Gullickson;

The one-lot Certified Survey Map of property addressed as 601 Bay View, Section 23, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned TR-U1 (Traditional Residential–Urban 1 District). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

**Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following twelve (12) items:**

1. The proposed Greenbush Lane will have public sewer. If sewer is built within the right of way with a City project, the cost will be assessed to the property being developed (601 Bay View).
2. Enter into a City / Developer agreement for the required infrastructure improvements. The agreement shall be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.
3. Construct Madison standard street, sidewalk and terrace improvements for north/south street as required by the City Engineer.
4. Construct new sidewalk and terrace along Regent Street as required by the City Engineer.
5. 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 signoff.
6. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM, contact either Tim Troester (West) at 261-1995 ([ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com)) or Brenda Stanley (East) at 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 and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

7. This development appears to have multiple existing laterals extended to the property line. In an effort to reduce inflow and contamination to the City's sanitary system our policy is to plug at the main laterals that are no longer active when associated with a new or redevelopment project. City Engineering will complete a TV inspection of the main to help clarify which laterals are active and which need to be plugged as a condition of approval for this application. The applicant is notified that as a condition of approval a sewer plug permit will be required for one or more laterals associated with this project that will no longer be used at its completion.
8. A Phase 1 environmental site assessment (per ASTM E1527-13), is required for lands dedicated to the City. Provide one (1) digital copy and staff review will determine if a Phase 2 ESA is also required. Submit report(s) to Brynn Bemis (608-267-1986, [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)).
9. Submit a soil boring report that has been prepared by a Professional Engineer two weeks prior to recording the final plat to the City Engineering Division indicating the ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9' below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
10. Provide the City Engineer with a survey indicating the grade of the existing sidewalk and street and hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. Building entrance grades must be approved by the City Engineer prior to signing off on this development.
11. Confirm that adequate sight distance exists where public streets intersect per AASHTO design standards for intersection sight distance. If adequate sight distance does not exist, change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make ther mitigating improvements as required by the City. Caution - The improvements indicated may require right- of-way outside of the plat/csm.
12. This lot is interdependent for drainage with lands immediately to the west. The stormwater system is shared. A shared drainage system agreement shall be drafted, presented to City Engineering for review and approval, and shall be recorded at the Dane County Register of ~~Deeds~~.

**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:**

13. The Housing Authority of the City of Madison is to dedicate easterly portions of Lots 1 and 2 of Certified Survey Map 1596 to provide the required total width of Greenbush Lane lying south of Braxton Place. The applicant shall provide a map exhibit and legal description of the area to be dedicated to accommodate the required public improvements to Jeff Quamme ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)) for review and comment. Once they have been approved, a Real Estate Project will be set up for the City to declare the required right of way as a public street. The

same area shall be shown and labeled as Public Right of Way to be dedicated by the Housing Authority of the City of Madison by separate instrument.

14. Greenbush Lane (currently labeled as Bay View Place) to be dedicated to the public shall be designated as Outlot 1 – Reserved as Future Public Right of way. The Outlot shall also be subject to the following text to be placed on the face of the Certified Survey Map:  
“Outlot 1 is hereby reserved for a future dedication by the Owner to the City of Madison for public right of way purposes. The Outlot shall be conveyed to the City of Madison, at no cost, upon the request by the City of Madison for the construction of public street and utility improvements necessary, as determined by the City Engineer, to serve the development of lands within Lot 1 of this Certified Survey Map. Only existing private improvements as of the date of the recording of this Certified Survey Map shall be permitted within Outlot 1. New buildings or other new private improvements shall not be permitted within any part of Outlot 1.”
15. A 10-foot wide Permanent Limited Easement for grading and sloping along the east side of Greenbush Lane may be required if the sidewalk is to be constructed as part of the future public works project for Greenbush Lane. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) for easement language if this becomes necessary.
16. The 10-foot wide Private Utilities Easement bisecting this CSM shall be released by the affected Utilities by recorded instrument(s) upon the removal of the facilities from the easement. The Triangle has a note that all easements on that plat are public. Therefore, the City of Madison will be required to release the easement. Coordinate a Real Estate project with Jeff Quamme to coordinate the release. A note shall be placed on the CSM stating the easement shall be released in the future by separately recorded instruments.
17. The CSM shall dedicate right of way or grant a public sidewalk easement as determined by City Engineering and Traffic Engineering to allow for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along Regent Street.
18. The CSM shall show and label the east 30 feet of Lot 2, Block 3 of the Triangle plat as lands to be dedicated in the future by the Community Development Authority for public street purposes.
19. The applicant shall adjust the right of way dedication for the north-south street as required by the City Traffic Engineer.
20. The applicant/developer/owner shall be aware that there are several utility easements that will require releases by the benefitting entities as demolition and reconstruction progresses in phases of the project planned within this Certified Survey Map.
21. Note the easements on sheet 2 to that are to be released as follows: Easement to be released by separate recorded instrument(s).
22. 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 (with current tie sheet attached) 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)).

23. Prior to Engineering final sign-off by main office for Certified Survey Maps, the final CSM shall be submitted in PDF format by email transmittal to Engineering Land Records Coordinator Jeff Quamme ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
24. All computed widths of Greenbush Lane shall be dimensioned on the CSM at all bend points.
25. Show and label the area acquired by the City of Madison for public right of way per Document No. 2345251. Add a recorded as bearing and distance for L2. (S67°57'43" E, 294.33).
26. Modify the City of Madison Common Council Approval Certificate to the format required that includes the specific resolution by the Common Council.
27. Curve 2 is not tangent. Provide tangent bearings at each end.
28. Curve 3 shall be modified to be tangent, holding the existing iron as the south tangent point of curvature and modifying L3 to be tangent to the curve.
29. Add to the note 7 text that per the plat, all Utility easement per the Triangle plat are also public easements. Also, add verbatim and reference the construction note from Triangle Plat that regulates construction within the Public Storm and Sanitary Sewer Easement over the southeast side of this CSM.
30. The new east right of way of Greenbush Lane shall be a solid heavier line.
31. Per the coordinates on the CSM, the measured the overall length of the north line of the SW 1/4 is 2650.35.
32. As suggested by the letter of intent, the name of the street shall be Greenbush Lane. Replace all references to Bay View Place with Greenbush Lane. "View" and "Place" are USPS suffixes. Per naming guidelines of the USPS, double suffixes are not allowed.
33. This pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds, the new parcel data created by the Assessor's Office, and the parcel data available to Zoning and Building Inspection staff prior to issuance of building permits for new construction.
34. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject CSM, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work shall be void of gaps and overlaps and match the final recorded CSM: right of way lines (public and private); lot lines; lot numbers;

lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).

\*This transmittal is a separate requirement than the required submittals to 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 submittal.

**Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following two (2) items:**

35. The applicant shall dedicate right of way or grant a public sidewalk easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along Regent Street.
36. The applicant shall work with the Traffic Engineering Division to determine the final right of way dedication on the new north-south street.

**Please contact Sarah Lerner of the Parks Division at 261-4281 if you have any questions regarding the following two (2) items:**

37. 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# 14136.2 when contacting Parks Division staff about this project.
38. 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." The Parks Division shall be required to sign off on this CSM.

**Please contact Brad Hofmann of the City Forestry Section at 267-8740 if you have any questions regarding the following item:**

39. City Forestry will issue a street tree removal permit for right of way trees in order to construct Bay View Place. Street trees planting will be included in the Landscape Plan with final street design.

**Please contact Andy Miller of the Office of Real Estate Services at 261- 9983 if you have any questions regarding the following eleven (11) items:**

40. 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 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.

41. 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.
42. 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.
43. 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..."
44. 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.
45. 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.
46. A Madison Common Council Certificate is required when dedication of land and the conveyance of rights in land are required. For parcels located within the City of Madison, a Madison Common Council Certificate shall appear as follows:

Resolved that this certified survey map located in the City of Madison was hereby approved by Enactment Number \_\_\_\_\_, File ID Number \_\_\_\_\_, adopted on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Maribeth L. Witzel-Behl, City Clerk  
City of Madison, Dane County Wisconsin

47. As of August 14, 2020, this property is listed as "Commercial Exempt". In the event the property becomes taxable prior to CSM sign-off, per 236.21(3) Wis. Stats. and MGO 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.
48. As of August 14, 2020, 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 MGO Section 16.23(5)(g)1.
49. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Andy Miller in City's Office of Real Estate Services ([acmiller@cityofmadison.com](mailto:acmiller@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 (June 10, 2020) 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.

50. Revise the CSM as follows prior to final approval and recording:

- a.) Depict, dimension, name, note and/or identify by document number all relevant easements, declarations, plans, conditions, agreements, and other documents cited in record title and the updated title report, and include relevant notes from plats or CSMs of record. If any documents included in the 6-10-2020 title report do not apply to the area within the proposed CSM, have them removed from the updated title report.
- b.) Include a complete and accurate legal description of the lands that are to be included in the proposed CSM. The legal description shall be reconciled with the legal description of said lands in record title.
- c.) If all parties of interest agree that certain easements from prior plats or CSMs of record are no longer necessary, the release documents for said easements shall be recorded prior to CSM approval sign-off, with the recording information for the release included as a Note on the proposed CSM.

**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 was approved by the Common Council at its September 1, 2020 meeting.**

**Approval of this Certified Survey Map does not include any approval to demolish existing buildings or construct new buildings on the subject site. A letter with the conditions of approval for the related redevelopment of the site has been sent separately.**

In order to commence the process for obtaining the necessary City signatures on the Certified Survey Map, the applicant shall e-mail the revised CSM, updated title report, and any other materials required by reviewing agencies to the reviewing planner. The reviewing planner will share the updated materials with the relevant commenting City agencies for them to verify that their conditions have been satisfied and that the secretary or designee may sign the Plan Commission approval certificate. Once the Plan Commission certificate is executed, the Planning Division will transmit the CSM to the City Clerk's Office for execution of the Common Council certificate.

Once all of the necessary City signatures have been affixed to the Certified Survey Map, the instrument will be returned electronically to the applicant by the Planning Division for printing and recording at the Dane County Register of Deeds Office. For information on recording procedures and fees, please contact the Register of Deeds at 266-4141.

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.**

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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,

A handwritten signature in cursive script that reads "Timothy M. Parks".

Timothy M. Parks  
Planner

cc: Tim Troester, City Engineering Division  
Jeff Quamme, City Engineering Division–Mapping Section  
Sean Malloy, Traffic Engineering Division  
Sarah Lerner, Parks Division  
Andy Miller, Office of Real Estate Services