



**Project Address:** 109 South Fair Oaks Avenue (6<sup>th</sup> Aldermanic District, Alder Rummel)

**Application Type:** Certified Survey Map

**Legistar File ID #:** [39090](#)

**Prepared By:** Heather Stouder, AICP, Planning Division  
Report Includes Comments from other City Agencies, as noted

## Certified Survey Map

In conjunction with the proposed rezoning of 10.5 acres (Legistar ID#38876), the City of Madison Parks Division is requesting approval of a certified survey map (CSM) to divide the larger 23.8-acre property into four lots and one outlot. Lots 1, 2, and 3 would be leased long-term to Baum Development, each with separate details in the long term leases. Lot 4 would continue to be owned and managed by the City. Details are as follows:

- Lot 1 is a 5.3-acre property surrounding and including the historic Garver Feed Mill building
- Lot 2 is a 4.2-acre property immediately north of Lot 1, and would include the micro-lodges to be further detailed in the Phase 2 Planned Development - Specific Implementation Plan later this year.
- Lot 3 is a 1.1-acre property east of Lot 1, where the applicant would construct a storage building for use by Olbrich Gardens.
- Lot 4 is a 12.8-acre property surrounding the others, which would be owned and maintained by the City in the long term for Parks purposes, and will be further detailed in the Phase 2 Planned Development - Specific Implementation Plan later this year.
- Outlot 1 is a 0.5-acre property adjacent to Starkweather Creek to be used for stormwater management purposes.

The CSM will need to be revised with further detail prior to recording to reflect the conditions of approval, but would retain the basic lot layout as proposed.

## Recommendation

**Planning Division Recommendation** (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the standards for approval of certified survey maps can be met and forward it to the Common Council with a recommendation to **approve** the request at 109 South Fair Oaks Avenue. This recommendation is subject to input at the public hearing and the conditions recommended below.

### Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

**City Engineering Division** (Contact Janet Schmidt, 261-9688)

1. Union Pacific no longer owns the adjacent railroad right of way. It is now owned by the State of WI and leased to WSOR. Update maps and text where applicable.
2. The applicant shall amend the CSM to show existing wetlands and flood plain.

3. The Applicant acknowledges the City Engineer's and City Traffic Engineer's desire to have a public bike path located through the lots within this CSM. The Applicant shall work with City Engineering and City Traffic Engineering to determine a location for the facilities such that a path can be located from Sugar Maple Lane to a proposed future bridge crossing Starkweather Creek and continuing northerly to Fair Oaks Avenue. The new path is anticipated to be built by the City in conjunction with the build out of the proposed redevelopment.
  4. The Applicant shall dedicate a public pedestrian and bike path easement across Lot 1 of the CSM in a location to be determined by the City Engineer or City Traffic Engineer. If the easement dedication is to be done on the face of the CSM the City shall provide additional easement language for inclusion in the notes. If the easement is to be done by a separate easement document the City shall review and approve the easement language prior to recording. The recorded easement shall be cited in the notes on the CSM.
  5. The Applicant shall record the necessary cross access, interlot drainage and private utility easements and maintenance agreements necessary for the development. The easement agreements will be recorded concurrently with the proposed CSM.
  6. Necessary easement releases shall be accomplished in coordination with City Engineering Mapping and the City of Madison Office of Real Estate Services.
  7. A note shall be added to the CSM: See separate recorded documents addressing easements/agreements for public access, private access, private utilities, public utilities and storm water drainage between lots within this Certified Survey Map.
  8. All separate documents to be recorded as part of this redevelopment shall be reviewed and approved prior to final sign off of the Certified Survey Map.
9. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM the applicant shall contact Janet Schmidt (608-261-9688) 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).
  10. 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 Janet Schmidt (608-261-9688) 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).
  11. 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 to be attached to the 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.**

**Real Estate** (Contact Jenny Frese, 267-8719)

**12. OWNER'S CERTIFICATION**

Prior to requesting approval sign-off, executed signature block certifications shall be included for all parties of interest, pursuant to Wis. Stats. 236.21(2)(a). City staff shall collect all signatures.

**13. CERTIFICATE AND CONSENT REQUIREMENTS**

- a. A Consent of Lessee shall be included for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to CSM sign-off.
- b. Please revise the City of Madison Plan Commission Certificate to show the name of the interim director, as follows:

Approved for recording per the Secretary of the City of Madison Plan Commission.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Natalie Erdman, Interim Secretary of the Plan Commission

- c. Move the notary blocks for the Owner's Certificate so they appear under the signature blocks for the Mayor and Clerk.
- d. Include the entire legal name of the city in the Owner's Certificate: City of Madison, a Wisconsin municipal corporation.

**14. ENVIRONMENTAL SITE ASSESSMENT**

The Environmental Site Assessments completed for the land within the CSM boundary, specifically the public dedication areas, require review and approval by Brynn Bemis in city Engineering.

**15. TITLE REPORT UPDATE**

Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), an updated title report shall be provided by the City prior to approval sign-off. The report shall search the period subsequent to the date of the initial title report (6-30-2015) submitted with the CSM application and include all associated documents that have been recorded since the initial title report. The CSM shall be updated with the most recent information reported in the title update.

**16. CSM REVISION REQUIREMENTS**

Per Notes 5, 6 & 7 on Sheet 9 of the CSM, coordinate with City staff for the creation of Real Estate projects to accomplish the necessary easement releases, as well as any new agreements required for the property.