



Department of Planning & Development
Planning Unit

Website: www.cityofmadison.com

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March 22, 2006

Eric M. Schwartz
Sara Investments, LLC
1612 N. High Point Road
Middleton, Wisconsin 53562

RE: LD 0606 – Approval of a preliminary plat and Certified Survey Map creating two commercial lots (a planned commercial site) at 4102-4110 Lien Road.

Dear Mr. Schwartz:

The preliminary plat and two-lot certified survey of the Lien Road Development Co., LLC property located at 4102-4110 Lien Road, Section 28, Township 8N, Range 10E, City of Madison, Dane County, Wisconsin, was **conditionally approved** by the Plan Commission on March 6, 2006. A resolution approving the preliminary plat and authorizing the City to sign the CSM and any other documents related to the proposed land division was adopted by the Common Council on March 21, 2006. The site is zoned C3L (Commercial Service and Distribution District).

The conditions of approval from the reviewing agencies for the proposed subdivision are:

Please contact Janet Gebert, City Engineering, at 266-4751 if you have questions regarding the following ten items:

1. Applicant shall demonstrate that a separate sanitary lateral serves each lot.
2. Existing 12-foot storm sewer easement created by CSM 2818 along the west line of this CSM appears to not contain any public storm sewer facilities. The owner may choose to have this easement released.
3. North line of the CSM contains two different bearings. Please clarify which bearing is correct.
4. Identify what horizontal datum the CSM coordinates are referenced to.
5. Arrows shall be added to the certified survey map indicating the direction of drainage for each property line not fronting on a public street. In addition, the certified survey map shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the certified survey map.
 - a. Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.
 - b. All lots within this survey are subject to a public easement for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easement shall be 12-feet in width on the perimeter of the certified survey map. Easements

shall not be required on property lines shared with green ways or public streets. No structures may be constructed within said easement and no other obstructions to drainage, including landscaping are permitted without the prior written approval of the City Engineer.

6. If the lots within this certified survey map are inter-dependent upon one another for storm water runoff conveyance, and/or a private drainage system exists for the entire site 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 County Register of Deeds.
7. 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 detention at the time they develop."
8. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM the applicant shall contact Randy Whitehead (608-266-4099) 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).
9. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
10. In accordance with Section s.236.34(1) (c) which says a CSM shall be prepared in accordance with s.236.20(2) (c) & (f), Wisconsin Statutes, the Applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (site Register of Deeds recording data) and easements that are being conveyed by the plat/CSM. Identify the owner and/or benefiting interest of all easements.

Please contact Kathy Voeck, the Assistant Zoning Administrator, at 266-4551 if you have questions regarding the following two items:

11. A planned commercial site created after October 6, 1998 shall have a plan and reciprocal land use agreement approved by the Traffic Engineer, City Engineer and Director of Planning and Development recorded in the Office of the Dane County Register of Deeds. An existing planned commercial site may not be changed without approval by the Traffic Engineer, City Engineer and Director of Planning and Development or approval of the Plan Commission. Every planned commercial site shall front on a public street. (Sec. 28.04(24).
12. The site shall be consistent with Section 16.23(8)(d) as determined by the Planning Unit.

Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following five items:

13. The applicant shall provide a plan of the proposed nature of the development on the subject lots.
14. Depending on the nature of the development of the subject lots, the applicant may be required to enter into a subdivision contract or developer's agreement for the reconstruction of the streets and sidewalk adjacent to the development. The reconstruction of the streets and sidewalk shall be subject to the plans and specifications of the City Traffic Engineer and City Engineer.

15. The applicant shall post a deposit or letter of credit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking, and conduit and hand holes, including labor, engineering and materials for both temporary and permanent installations.
16. The applicant shall note on the face of the CSM the “Reciprocal cross-access easements between Lots 1 and Lot 2.
17. The attached streetlight & tree declaration of conditions and covenants shall be executed and returned.

Please contact John Lippitt, Madison Fire Department, at 261-9658 if you have questions about the following two items:

18. Provide a recorded Fire Department fire access easement for a minimum 20-foot wide fire lane accessing Lot 1 from the public way to within 150 feet of hose reach of the entire building.
19. Provide an additional fire hydrant on the site plans; see MGO 34.20 for additional information. A minimum of 2 shall be shown.

Please contact Dennis Cawley, Madison Water Utility, at 266-4651 for information on the following item:

20. Each lot shall have a separate water service lateral connected to a public water main. Since proposed Lot 1 does not have frontage on a public street, the owner will need to obtain a private water service lateral easement from an adjoining property owner.

Please contact my office at 261-9632 if you have questions about the following item:

21. That the applicant execute all easement documents deemed necessary and approved by the City Engineer, Traffic Engineer and Director of Planning and Development for this planned commercial site as provided for in the Subdivision Regulations and Zoning Ordinance prior to final approval and recording the Certified Survey Map of the property. The easements shall provide adequate access for Lot 1 to Lien Road and provide for the common use and maintenance of the stormwater management facilities.

Please note that the City Real Estate Office is reviewing the report of title provided with this survey and may have comments. That office will send any comments to you by fax. If you have any questions, please contact Jeff Ekola at 267-8719 for more information.

As soon as the comments and conditions have been satisfied as verified with a completed affidavit form (enclosed), 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 266-4141.

Upon acceptance and recording of the certified survey map by the Dane County Register of Deeds, please transfer the recorded volume, document number, and page numbers to the copies and forward a copy to this office for our records.

The original survey map with the recording information is permanently kept on file in the Dane County Register of Deeds Office. A copy of the recorded document can be obtained from the Register of Deeds Office, Room 110, City-County Building or the Real Estate Office in the Madison Department of Planning and Development.

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Any appeal from this action, including the conditions of approval, must be filed with the Circuit Court within thirty (30) days from the date of the original approval letter (not the date of revised letter). The approval of this CSM shall be null and void if not recorded in two years from the date of the approving resolution. 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,

Timothy M. Parks
Planner

cc: Gary Dallmann, Engineering Division
Kathy Voeck, Assistant Zoning Administrator
Dennis Cawley, Madison Water Utility
Si Widstrand, Parks Division
Jeff Ekola, Real Estate Development Unit
Norb Scribner, Dane County Land Records and Regulations