



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, AICP, Director

Madison Municipal Building, Suite LL-100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

[www.cityofmadison.com](http://www.cityofmadison.com)

October 21, 2016

Todd Buhr

JSD Professional Services, Inc.

161 Horizon Drive, Suite 101

Verona, Wisconsin 53593

RE: LNDCSM-2016-00036 – Certified Survey Map – 89 East Towne Mall (CBL & Associates Properties, Inc./ Madison Joint Venture)

Dear Mr. Buhr;

The three-lot certified survey of property generally addressed as 89 East Towne Mall, Section 27 and 28, Township 8N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned CC (Commercial Center 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 City Engineering Division at 261-9127 if you have questions regarding the following five (5) items:**

1. The applicant shall dedicate a 15-foot wide sanitary sewer easement for the sewer being rerouted around the proposed building.
2. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the CSM.
3. All outstanding 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 (608-261-9250) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering signoff of the CSM.
4. The lots within this Certified Survey Map are inter-dependent upon one another for stormwater 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 CSM and recorded at the Dane County Register of Deeds.
5. A minimum of 2 working days prior to requesting City Engineering signoff on the CSM the applicant shall contact Tim Troester at 261-1995 ([ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com)) or Brenda Stanley 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. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

**Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following ten (10) items:**

6. 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 ). 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.
7. The applicant shall submit to Jeff Quamme, prior to Engineering sign-off of the subject CSM, one (1) digital CADD drawing and one (1) signed copy of the final 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: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; 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).  
  
\*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.  
  
\*New electronic final plat transmittals and notification of changes which occur to the final plat during the time the Engineering Division signs off and receives the digital copies of said plat and the recording thereof, are the responsibility of the Developer/Surveyor.
8. Label the widths of all adjacent street right of ways on sheet 1.
9. Properly show and denote and label all of the adjacent land divisions, plats and Certified Survey Maps adjacent to this land division.
10. The Public Watermain Easement Branch 1 per Document No. 1432746 and the Public Sanitary Sewer Easement No. 5 per Document 1313067 area to be amended in conjunction with the approval of building modifications along the southeast side of the Mall. If the easements are amended prior to the recording of this CSM, the CSM shall note and label the amended areas.

11. Add a sentence to Not 6 that the sanitary sewer easement per Document No. 2265765 has been released by 4439884.
12. On sheet 11 revise the notes referring to sheet 9 to sheet 10 and sheet 11 to sheet 12.
13. The details on sheet 12 shall label the point and line designations along with annotation of the document numbers for the portions of the easements shown for clarity.
14. The portion of the sanitary sewer easement per Doc No 1313067 between points 23, 25 and 26 on sheet 13 appears to have been released by Document 4439884. Revise the map accordingly. Correct the sanitary sewer easement line table accordingly as well.
15. On sheet 13 revise the notes referring to sheet 9 to sheet 10. Also the sanitary sewer easements 9 and 10 per Document 1313067 labels are switched and require correction.

**Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:**

16. The creation of Lots 2 and 3 do not appear to have any impact on fire safety. Verify that the remaining existing Lot 1 lines do not contain a Building Code violation now nor would one be created with the proposed building modifications where Boston Store is indicated on the CSM.

**Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following item:**

17. The applicant shall revise existing public water main easements to include 20-foot wide public water main easement along proposed building re-route, to contain all relocated service valves and all proposed hydrant relocations (reference LNDUSE-2016-00089).

**Please contact Heidi Radlinger of the Office of Real Estate Services at 366-6558 if you have any questions regarding the following eight (8) items:**

18. 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..."
19. A Consent of Lessee shall be included for all tenant interests in excess of one year, recorded or unrecorded, to be executed prior to CSM sign-off.
20. The 2015 real estate taxes are paid for the subject property. Per 236.21(3) Wis. Stats. and Sec. 16.23(5)(g)(1) of 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.
21. There are special assessments reported on both parcels. All known special assessments are due and payable prior to CSM approval sign-off.

22. Please coordinate with Tim Troester (267-1995) or Brenda Stanley (261-9127) in the City Engineering Division to obtain any outstanding storm water management fees from the City of Madison Water Utility. Receipts for the payment of the prorated fee shall be presented prior to CSM approval sign-off.
23. Pursuant to MGO 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 (July 29, 2016) submitted with the CSM application and include all associated documents that have been recorded since the initial title report. The surveyor shall update the CSM with the most recent information reported in the title update.
24. The owner shall email the document number of the recorded CSM to Heidi Radlinger in the City's Office of Real Estate Services as soon as the recording information is available.
25. The CSM shall be revised prior to sign-off as follows:
  - a.) Reference accurate sheet numbers on all Notes.
  - b.) Correct spelling/grammatical errors on Sheet 18: Under Owner's Certificate – Madison Joint Venture, AN Ohio General Partnership...Add E to State of Tennessee.

**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 November 1, 2016.**

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 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.**

LNDCSM-2016-00036  
89 East Towne Mall  
October 21, 2016  
Page 5

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: Brenda Stanley, City Engineering Division  
Jeff Quamme, City Engineering Division–Mapping Section  
Sally Sweeney, City Assessor’s Office  
Adam Wiederhoeft, Madison Water Utility  
Bill Sullivan, Madison Fire Department  
Heidi Radlinger, Office of Real Estate Services