



Department of Planning & Community & Economic Development
Planning Division

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March 23, 2012

Victoria S. Berghel
Madison Joint Venture
2030 Hamilton Place, Suite 500
Chattanooga, Tennessee 37421-6000

RE: File No. LD 1202 – Certified Survey Map – 7301, 7325, 7333 & 7433 Mineral Point Road

Dear Ms. Berghel;

The two-lot certified survey of your property located at 7301, 7325, 7333 & 7433 Mineral Point Road, Section 26, Township 7N, Range 8E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The site is zoned C3L (Commercial Service & Distribution District). The conditions of approval from the reviewing agencies to be satisfied before final approval and recording of the CSM are:

Please contact Janet Dailey of the City Engineering Division at (608) 261-9688 if you have questions regarding the following six (6) conditions:

1. Add the following note to the proposed CSM to create the necessary public ingress-egress throughout the West Towne Mall site to existing public storm, sanitary and water facilities: "This Certified Survey Map hereby creates and conveys to the public an ingress and egress easement upon, over, and across portions of existing West Towne Mall drive aisles and parking lots for motor vehicles, construction equipment and pedestrian access to enable the City of Madison, its employees and agents, to perform work related to the construction, inspection, maintenance, repair, and reconstruction of all public sanitary sewer, water and storm sewer/stormwater drainage facilities located within public easements created by separate recorded easements throughout the West Towne Mall site."
2. A portion of proposed Lot 2 is missing a line length and bearing near the northeast corner of the lot both on the CSM drawing and the line table chart.
3. The first bearing call in the legal description within the Surveyor's Certificate on Sheet 4 of 8 contains a bearing transposition that shall be reconciled. Also correct the typo error for "Dane" within this same legal description.
4. Revise all public sanitary sewer easements such that they are a minimum of 20 feet in width.
5. The lots within this certified survey map are interdependent 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.

6. A minimum of 2 working days prior to requesting City Engineering Division signoff on the CSM, the applicant shall contact Janet Dailey (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).

Please contact Dennis Cawley of the Madison Water Utility at (608) 261-9243 if you have questions about the following item:

7. Note: All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO Section 13.21. All unused private wells shall be abandoned in accordance with MGO section 13.21.

Please contact Bill Sullivan of the Madison Fire Department at (608) 261-9658 if you have questions about the following three (3) items:

8. Ingress/egress easements shall include and define Fire Department access requirements.
9. Site plans shall include fire lane locations for all affected parcels/buildings.
10. The proposed new lot lines shall be evaluated to ensure fire separation distances are maintained as prescribed by the State of Wisconsin Building Code.

Please contact my office at (608) 261-9632 if you have any questions about the following item:

11. The following notes shall be placed on the Certified Survey Map:

“The subdivider acknowledges that future development on the four lots shown on this CSM may be subject to Plan Commission approval as major alterations to the West Towne Mall planned commercial site conditional use following review and approval by the Urban Design Commission. As part of the approval of such major alterations, the developer may be required to make vehicular and pedestrian circulation improvements to the commercial complex, including but not limited to the mall ring road, to accommodate addition vehicular and pedestrian traffic within the mall complex, including the provision of dedicated pedestrian connections between existing and proposed uses.”

“Any new retail establishments with a total gross floor area of 40,000 square feet within this planned commercial site shall be subject to the large format retail establishment provisions of the Urban Design Commission Ordinance (MGO 33.24(4)(f)).”

The City Office of Real Estate Services has reviewed the report of title provided with this survey. Their comments are attached to this letter. If you have any questions, please contact Jennifer Frese at (608) 267-8719 for more information.

Additionally, the City Assessor’s Office submitted a comment recommending that a subdivision plat be submitted for all of the West Towne Mall area. You may discuss this with their office by contacting (608) 266-4531.

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 is scheduled for review by the Common Council on April 10, 2012.

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 epederson@cityofmadison.com.

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.

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 two years from the date of the approving resolution or this letter, whichever is later.** If you have any questions or if you may be of any further assistance, please do not hesitate to contact my office at (608) 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Janet Dailey, City Engineering Division
Bryan Walker, Traffic Engineering Division
Bill Sullivan, Madison Fire Department
Matt Tucker, Zoning Administrator
Maureen Richards, City Assessor's Office
Dennis Cawley, Madison Water Utility
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations