



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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December 5, 2018

Jason Lietha  
Ruekert & Mielke, Inc.  
4001 Nakoosa Trail, Suite 200  
Madison, Wisconsin 53714

RE: LNDCSM-2018-00043; ID 53524 – Certified Survey Map – 5401 Eastpark Boulevard (American Family Mutual Insurance Co.)

Dear Mr. Lietha;

On November 19, 2018, the City of Madison Plan Commission **conditionally approved** your two-lot Certified Survey Map of property located at 5401 Eastpark Boulevard, Section 22, Township 8N, Range 10E, City of Madison, Dane County, Wisconsin. The property is zoned SEC (Suburban Employment Center District). 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 on December 4, 2018.

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 six (6) items:**

1. No lot created by this CSM shall be available for building until a development agreement is signed and approved by the City of Madison to move the storm sewer conveyance channel onto Outlot 1. This will require a full public works improvement project.
2. This site has a navigable waterway. The applicant is made aware that both Wisconsin Department of Natural Resources (WDNR) and United States Army Corps of Engineers (USACOE) permits are required for the work required to relocate the channel. Obtaining those permits is the responsibility of the developer and no work shall be allowed until those permits allowing the work are provided to City Engineering.
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 (261-9250) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering sign-off.

4. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM the applicant shall contact either Tim Troester at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley at 261-9127 (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).
5. The construction of this project will require that the applicant shall enter into a City / Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Note: Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.
6. The applicant shall construct sidewalk along Eastpark Boulevard according to a plan approved by the City Engineer.

**Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following sixteen (16) items:**

7. The portion of the Environmental Corridor/Greenway Easement for Stormwater Detention/ Retention within proposed Lot 1 shall be released by separate document prepared by City Office of Real Estate Services. The applicant shall prepare metes and bounds legal descriptions and scale map exhibits for the portions to be released and provide a \$500 administrative fee to Jeff Quamme for review (266-4097) (jrquamme@cityofmadison.com). This easement release will require an Urban Service Area Amendment by CARPC prior to final execution and recording by the City. This release shall be completed prior to final sign off of the CSM. Acknowledgement of the release and document number shall be noted on the face of the CSM.
8. The note for the Easement per Document No. 3645618 shall be revised to be a "15' Wide Private Utility Easement per Document No. 3645618 as corrected by Document No. 3645618". Also, dimension the corner that intrudes into Outlot 1.
9. Revise the label for the Easement for Document No. 5271471: it is a Permanent Limited Easement for Public Sidewalk and Bus Pad Purposes.
10. Add a note on Outlot 1 that it is subject to an Environmental Corridor / Greenway Easement for Stormwater Detention / Retention per The American Center Plat, Document No. 2514291.
11. Add dimensioning to the Public Water Main Easement to locate it where it is not centered on the property line. Also, indicate that it is a public water main easement.
12. De-clutter the proposed conditions site plan by removing any existing conditions to be relocated.
13. The bearing of the east line of the NE 1/4 of Section 22 varies from the bearing of record per City control by approximately 6 minutes. The surveyor shall check computations and also provide coordinates for the E 1/4 corner of Section 22.

14. Records indicate the monument at the NE Corner of Section 22 is a 1 1/4" Rebar. Surveyor shall confirm the monument type that exists.
15. Label the centerlines of the right of ways. Also, label the location where the Eastpark Boulevard right of way becomes a consistent 120 feet wide.
16. Fix overlapping text near the southerly corner of the CSM on sheet 2.
17. The third line of the legal description Outlot reference shall be changed to Outlot 7. Also, curves 4 and 5 have been mistakenly merged into one course at the end of the description and needs to be corrected.
18. Per the title report, the owner of the lands within this CSM is The American Center Owner's Association. This shall be corrected or evidence of another conveyance shall be provided.
19. Any additional area necessary for the bus pullout required by Madison Metro shall be dedicated as public right of way on the face of the Certified Survey Map.
20. This pending Certified Survey Map application shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in the parcel database so that the permitting system can upload this data and permit issuance made available for this new land record.
21. 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 condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme (jrquamme@cityofmadison.com), City Engineering. 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. The Applicant shall identify monument types on all PLS corners included on the Plat. Note: Land tie to two PLS corners required.
22. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat 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).

\*NOTE: This transmittal is a separate requirement from the required 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 original submittal of data and prior to final sign off.

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

23. Access to Lot 1 shall be restricted for the entirety of the American Parkway frontage and shall be noted on the CSM.
24. Access to Lot 1 shall be restricted for the entirety of the curve on the Eastpark Boulevard frontage and shall be noted on the CSM.

**Please contact Tim Sobota of Metro Transit at 261-4289 if you have questions regarding the following two (2) items:**

25. In order to effectively serve the proposed development on Lot 1, the applicant shall either dedicate any necessary land or convey appropriate easements and construct a bus pullout lane and associated passenger accessibility facilities in public right-of-way or public easement area on the west side of American Parkway, south of Eastpark Boulevard, which would accommodate the existing transit stop at this location. A draft concept of the potential orientation and dimensions of the bus pullout lane is attached to this review record.
26. In order to provide effective pedestrian access between the proposed development on Lot 1 and this existing transit stop location, the applicant shall construct public sidewalk along the full length of the south side of Eastpark Boulevard, between the existing pedestrian facilities on the northeast corner of East Terrace Drive and Eastpark Boulevard and at the southwest corner of American Parkway and Eastpark Boulevard. The applicant shall include these public improvements and any associated dedications or easements on the final documents filed with their permit application, so that Metro Transit may review these designs as part of the City approval process.

**Please contact Heidi Radlinger of the Office of Real Estate Services at 266-6558 if you have questions regarding the following seven (7) items:**

27. 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 executed original hard stock recordable CSM shall be presented at the time of sign-off.
28. 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.
29. The Secretary of the Plan Commission is Natalie Erdman.

30. There are no real estate taxes for the subject property. As of the date of this letter there are no special assessments reported. If special assessments are levied against the property prior to CSM sign-off, they shall be paid in full pursuant to MGO Section 16.23(5)(g)1.
31. Pursuant to Madison City Ordinance 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 (September 14, 2018) 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.
32. The owner shall email the document number of the recorded CSM to Heidi Radlinger at the City's Office of Real Estate Services as soon as the recording information is available.
33. The CSM shall be revised to label the 24-foot easement on Sheet 2 prior to final approval and recording.

**Please contact my office at 261-9632 if you have questions about the following three (3) items:**

34. Access to Lot 1 shall be restricted for the entirety of the American Parkway frontage. This "No Vehicular Access" restriction be shown graphically and included in the notes on the final CSM.
35. Access to Lot 1 shall be restricted for the entirety of the curve (C3) along the Eastpark Boulevard frontage (effectively limiting access to the lot to the 47.44-foot long section of the Eastpark frontage at the southwesterly corner of Lot 1). This "No Vehicular Access" restriction be shown graphically and included in the notes on the final CSM.
36. An amendment to the Environmental Corridor Map approved by the Capital Area Regional Planning Commission (CARPC) to take proposed Lot 1 out of the corridor is required prior to final approval of the CSM for recording. The amendment request shall be made by the City by CARPC rule and not by the subdivider; however, the subdivider is required to reimburse the City's expenses for submitting that request. In order to submit the request, the applicant shall provide any permits required by the Wisconsin Department of Natural Resources (WDNR) and United States Army Corps of Engineers (USACOE) to relocate the channel (and supporting information). Further, the applicant shall be bound by any conditions of the CARPC amendment, including designating any required setbacks from the relocated waterway on the final CSM. The CSM will not be approved for recording until all of the conditions of the CARPC approval have been met.
37. The final CSM shall include a note stating the use and ownership of proposed Outlot 1.

**Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.**

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).

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.

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.**

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  
Sean Malloy, Traffic Engineering Division  
Tim Sobota, Metro Transit  
Heidi Radlinger, Office of Real Estate Services