



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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March 6, 2020

Scott Maier  
Ayres Associates, Inc.  
5201 East Terrace Drive, Suite 200  
Madison, Wisconsin 53718

RE: LNDCSM-2020-00002; ID 58788 – Certified Survey Map – 1209-1313 Fish Hatchery Road, 1213-1313 South Street, et al (SSM Health)

Dear Mr. Maier;

On March 3, 2020, the Common Council **approved** your two-lot, two-outlot Certified Survey Map of property located at 1209-1313 Fish Hatchery Road, 1213-1313 South Street et al, Section 26, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin. The land division was **conditionally approved** by the Plan Commission on February 24, 2020. All of the subject property is zoned CC-T (Commercial Corridor–Transitional District). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

**Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following nine (9) items, including the condition added by the Plan Commission on February 24 (#9):**

1. The City will plan to abandon the existing storm sewer from South Street to Fish Hatchery Road as part of the proposed public works infrastructure project. Additionally, the City will upgrade storm sewer from High Street to South Street in conjunction with the public works construction. South Street currently has an enclosed depression near the northerly driveway of the surface parking lot on the east side of South Street. The applicant shall work with the City to determine the best overland flow route for extreme events (up to the 500-year event) to safely pass water from South Street to Fish Hatchery Road. This should take into account avoiding any future building expansions. Public easements for drainage purposes and or access will be required.
2. Additional easements for storm sewer and drainage purposes will be required across the property located at 1227 and/or 1229 to provide a safe overland flow and for maintenance and access from the enclosed depression on High Street.
3. Enter into a City / Developer agreement for required infrastructure improvements. The agreement shall be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.
4. Construct sidewalk along Fish Hatchery Rd and Midland Street according to a plan approved by the City Engineer.

5. The City will undertake a reconstruction of South Street, High Street, and Midland Street and construction of Cedar Street in 2021. Execute a waiver of notice and hearing on the assessments for the improvements in accordance with Section 66.0703(7)(b) Wisconsin Statutes and MGO Section 4.09. Note that new Cedar Street, east of South Street, is a new street which half of the construction is assessed to each side. High Street will include a rural-to-urban project where curb and gutter and four (4) feet of pavement will be assessed to applicant.
6. 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 (2) working days prior to requesting City Engineering signoff.
7. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM, contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) 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 and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
8. The existing Sewer Easement per Document No. 998984 shall be amended with additional text setting forth terms and conditions clarifying the use for Public Storm Sewer and Drainage facilities. Also, any additional easement areas required by City Engineering Staff to address proper drainage shall be granted on the CSM. Contact Jeff Quamme (jrquamme@cityofmadison.com) for the required language to be placed on the CSM.
9. That the applicant dedicate a 10-foot wide outlot to the City along the eastern edge of the eastern site for a future multi-purpose path connection from the end of High Street to Cedar Street and a five (5)-foot wide permanent limited easement for grading and sloping for construction of the future path.

**Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following thirty-eight (38) items:**

10. The developer shall petition for the street discontinuance and vacation of Garden Street. Provide a petition along with legal description and sketch of the right of way to be discontinued and other required materials after first consulting with Jeff Quamme of Engineering Mapping. (jrquamme@cityofmadison.com) The Resolution will have a reservation of a Temporary Storm Sewer Easement over a portion of the discontinued right of way for existing storm sewer until such time the storm sewer is re-routed allowing for abandonment of the current sewer.
11. Dedicate right of way along the west side of High Street at the south end for a 50-foot diameter cul-de-sac bulb as required by the Traffic Engineering Division.
12. As required by the Traffic Engineering Division, dedicate the necessary right of way or grant a public sidewalk easement on the face of the CSM to accommodate a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance behind the walk along Fish Hatchery Road.

13. The applicant shall dedicate right of way along South Street to a width of 60 feet where the existing right of way exists as 50 feet wide.
14. The City is planning to realign the Midland Street/High Street/South Street intersection. The applicant shall dedicate right of way at the southwest corner of the Midland Street-South Street intersection as required by the Traffic Engineering Division.
15. The applicant shall dedicate right of way or grant a public sidewalk easement for and be responsible for widening Midland Street to 28 feet in width measured from face of curb to face of curb and providing an eight (8)-foot terrace, five (5)-foot wide sidewalk, and additional one (1) foot for maintenance.
16. In accordance with Chapter 236, Wisconsin Statutes, the applicant must show the type, location and width of any and all easements on a CSM. Clearly identify the difference between existing easements (cite recording data) and easements which are being conveyed by the land division. Identify the owner and/or benefiting interest of all easements. Include any and all language required to properly and legally create any easement by this land division.
17. The sidewalk easements along the northerly sides of Outlots 1 and 2 shall be retitled "Public Sidewalk and Bike Path Easement to the City of Madison." No aboveground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. Only pavement and/or concrete for driveway purposes shall be permitted. Contact Jeff Quamme ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)) for the required language to be placed on the CSM. Also contact him for the final easement configuration required along the north side of Outlot 2.
18. Outlot 1 shall include the following restriction to be included as text on the CSM: "Outlot 1 is reserved for a future dedication by the Owner to the City of Madison for public right of way purposes. The area shall be dedicated to the City of Madison at no cost upon the adoption of a resolution by the City of Madison to discontinue and vacate Appleton Road as shown on this Certified Survey Map. The effective date of the vacation shall be conditioned upon the execution and recording of the document conveying and dedicating Outlot 1 to the City of Madison for public street purposes. Only existing parking lot improvements or a new driveway access shall be permitted within Outlot 1, no buildings or other new private improvements shall be permitted within Outlot 1 prior to the conveyance to the City. See the detail of Appleton Road area to be discontinued."
19. Outlot 2 shall include the following restriction to be included as text on the CSM: Outlot 2 is reserved for a future acquisition by the City of Madison for public right of way purposes. Only existing improvements shall be permitted within Outlot 1 prior to any conveyance to the City of Madison. No buildings or new private improvements shall be permitted within Outlot 2. Coordinate the final configuration of the Outlot at the east end with Jeff Quamme ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)).
20. Re-label the Temporary Storm Sewer as: Temporary Public Storm Sewer Easement to the City of Madison per Doc No. \_\_\_\_\_. The document number will be the recorded discontinuance of Garden Street. Also extend the north end of the temporary easement to be opposite the North line of the existing Public Storm Sewer Easement per Document No. 2064028.

21. Better delineate the portion of the Public Storm Sewer Easement per Document No. 998984 that has been released by Document No. 2064029.
22. Add a note and label directly on the map the portions of the Public Storm and Sanitary Sewer Easements per Document Nos. 998984, 2056027, 2064027 and 2064028 to be released by the City of Madison by a future separate instrument that lie within proposed Lot 1 of this CSM. The approval of this CSM by the City of Madison provides authorization of the release of these easement areas upon the future approval by the City Engineer. Any new easements required for the rerouting of the storm and sanitary sewer easements shall be granted on the face of the CSM.
23. Show, dimension and label the 30-foot Building Setback Line per Haen Subdivision No. 1, Document No. 998984.
24. The owner shall coordinate with the City of Madison the release of the existing utility easements lying within Outlots 1 and 2 prior to their being conveyed to the City of Madison.
25. The Public Storm Sewer Easement area shown and labeled per Document No. 2064027 is also subject to a Public Storm Sewer Easement per Document No. 2056027 and shall be labeled as such.
26. Show and label the encroachment area permitted for the crossing of a conduit per the Encroachment Agreement per Document No 2279574. Contact Jeff Quamme ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com) for the map exhibit that was not attached to the recorded document.
27. Note and label the area comprising Block 1 of Haen Subdivision No. 1 is subject to a Restriction Agreement on uses per Document No. 989359.
28. Add the note from the plat of Haen Subdivision No. 1 regarding the setting of utility poles.
29. The existing Sewer Easement per Document No. 998984 shall be amended with additional text setting forth terms and conditions clarifying the use for Public Storm Sewer and Sanitary Sewer. Also, any additional easement areas required to provide 10 feet of width on each side of the sanitary and storm sewer facilities shall be granted on the CSM. Contact Jeff Quamme ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)) for the required language to be placed on the CSM.
30. 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 (with current tie sheet attached) 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)).
31. Prior to Engineering final sign-off by main office for Certified Survey Maps, the final CSM shall be submitted in PDF format by email transmittal to Engineering Land Records Coordinator Jeff Quamme ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.

32. Conditions of approval noted herein are not intended to be construed as a review determining full compliance with City of Madison Ordinances and State of Wisconsin Statutes. The licensed professional preparing the land division is fully responsible for full compliance with all Ordinances and Statutes regulating this proposed land division.
33. Add to the header on each sheet and the legal description to include "Vacated and Discontinued Garden Street recorded as Document No.'s 2056027 and \_\_\_\_." The CSM shall delineate and label the two separate discontinuance areas.
34. Some of the labels have text that is too small and will not scan well at the Register of Deeds. No text shall be smaller than 0.05 inches in height.
35. All easements shall be dimensioned adequately on the face of the CSM to allow them to be fully retraced.
36. Label all existing buildings and note those to be demolished as part of phase 1 of the redevelopment project.
37. The CSM shall include details showing the true location and dimensions between both public land survey corner locations and the meander corners to which they are referenced. The legal description shall state the bearing and distance from the true corner location from which the description begins at the meander corner.
38. Correct the section number and Town number on the labels for the Section Corners. Also correct the note for the center of section, there is a monument at the Meander Corner and a chiseled cross at the true corner location. Lastly, overall distances between corners shall be added as required by statute.
39. Adjoiners shall be labeled on all sheets of the CSM. Provide recorded as data as required by statute on the exterior boundaries of the Certified Survey Map.
40. Provide curve data for the east and west sides of Outlot 1, the west side of Outlot 2 and sub curve data along the southwesterly curve of Lot 2.
41. Correct the street name to Fish Hatchery Road on all sheets and the surveyor certificate legal description.
42. Verify that the map shows the correct bearing and dimension for the north line across South Street. Revise surveyor's certificate legal description accordingly.
43. Add total square footage / acreage to the end of the legal description in the Surveyor's Certificate.
44. The current title report indicates more than one owner of lands included in this CSM. Add all Owner's Certificates for all Owners at the time of final sign off.
45. Confirm the right of way width of Midland Street. Computations indicate that this right of way may not be the 50 feet as platted with the CSM on the north side.

46. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to Zoning and Building Inspection staff prior to issuance of building permits for new construction.

47. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject CSM, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work shall be void of gaps and overlaps and match the final recorded CSM: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).

\*This transmittal is a separate requirement than the required submittals to 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 submittal.

**Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following five (5) items:**

48. The applicant shall dedicate right of way or grant a public sidewalk easement and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1)-foot for maintenance along Fish Hatchery Road.

49. The applicant shall dedicate right of way or grant a public sidewalk easement for and be responsible for widening Midland Street to 28 feet in width measured from face of curb to face of curb and providing an eight (8)-foot terrace, five (5)-foot wide sidewalk, and additional one (1) foot for maintenance.

50. The City is planning to realign the Midland Street/High Street/South Street intersection. The applicant shall dedicate right of way at the southwest corner of the Midland Street-South Street intersection as required by the Traffic Engineering Division.

51. The applicant shall be responsible for constructing and dedicating the appropriate right of way for a fifty (50)- foot diameter turnaround bulb at the southern end of High Street.

52. The applicant shall dedicate right of way for South Street with the CSM to create a consistent 60-foot wide right of way from Appleton Road to Midland Street.

**Please contact Heidi Radlinger of the Office of Real Estate Services at 266-6558 if you have any questions regarding the following nine (9) items:**

53. The title Commitment states title is vested in three entities. 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 title of each certificate shall be consistent with the ownership interest reported in the most recent title report. The executed original hard stock recordable CSM shall be presented at the time of sign-off.

54. A certificate of consent for all mortgagees shall be included following the Owner's Certificate(s) and executed prior to CSM approval sign-off.
55. If a mortgage or other financial instrument is reported in record title, but has been satisfied or no longer encumbers the lands or ownership within the CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to CSM approval sign-off.
56. 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.
57. City of Madison Plan Commission Certificate: The Secretary of the Plan Commission is Matthew Wachter.
58. The lands within the CSM boundary are located within TID 42, a Tax Incremental Financing District. Discussions with Joe Gromacki, the City of Madison's tax increment financing coordinator, may be necessary before recording the CSM if a TIF application is required. Mr. Gromacki may be reached at 267-8724 or [jgromacki@cityofmadison.com](mailto:jgromacki@cityofmadison.com).
59. Real estate taxes for 2019 are owed for the subject properties. Per 236.21(3) Wis. Stats. and 16.23(5)(g)(1) 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. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off. Payment is made to: City of Madison Treasurer; 210 Martin Luther King, Jr. Blvd.; Madison, WI 53701.
60. 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 (December 4, 2019) 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.
61. The owner shall email the document number of the recorded CSM to Heidi Radlinger as soon as the recording information is available.

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

ID 58788  
LNDCSM-2020-00002  
1209-1313 Fish Hatchery Rd.,  
1213-1313 South St., et al  
March 6, 2020  
Page 8

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: Tim Troester, City Engineering Division  
Jeff Quamme, City Engineering Division–Mapping Section  
Sean Malloy, Traffic Engineering Division  
Heidi Radlinger, Office of Real Estate Services