



Department of Planning & Community & Economic Development
Planning Division

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July 8, 2009

Hans Justeson
JSD Professional Services, Inc.
161 Horizon Drive, Suite 101
Verona, Wisconsin 53593

RE: File No. LD 0914 – Consideration of a two-lot Certified Survey Map (CSM) of 38.81 acres of property owned by Certco, Inc. generally located at 4802 Femrite Drive & 2730 Daniels Street.

Dear Mr. Justeson:

The two-lot certified survey of your client's property generally located at 4802 Femrite Drive and 2730 Daniels Street, Section 22, Township 7N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The site is zoned M1 (Limited Manufacturing District) & C3 (Highway Commercial 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, City Engineering Division, at 261-9688 if you have questions regarding the following ten conditions:

1. Curve segment C2 has a very minor rounding error between the Curve Table on Sheet 1 of 5 and the legal description on Sheet 4 of 5.
2. Prior to approval, provide evidence that proposed Lot 2 shall direct runoff to Femrite Drive with minimal discharge to adjacent Lots 50 & 51, Fourth Addition to World Dairy Center.
3. The applicant shall dedicate a 15-foot wide Permanent Limited Easement for grading and sloping along Femrite Drive.
4. The applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along Femrite Drive in accordance with Section 66.0703(7)(b) Wisconsin Statutes and section 4.09 of the MGO.
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.

Note: In the event of the City of Madison Plan Commission and/or Common Council approve re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.

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 management at the time they develop."
8. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract.
9. 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 Eric Pederson, 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 or CSM. Note: Land tie to two PLS corners required.
10. Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), final CSM must be submitted to 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 sign-off. Electronic mail submittal of the FINAL CSM in PDF form is preferred.

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

11. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights and traffic signals prior to sign off.

Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions about the following three items:

12. 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.
13. Prior to final sign off of the CSM, obtain site plan approval showing the showing car parking stalls, bike stalls, accessible stalls, landscaping and loading [for the entire site shown on the CSM]. Submit current/ proposed uses along with information required to determine the required number of stalls/loading areas needed for the existing Lot 1 site. Future development of Lot 2 may require conditional use approval for accessory parking located on a lot elsewhere than the principal use served. Cross-access easements shall be obtained between the two lots.
14. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards. (See parking lot packet). Lighting will be limited to .10 watts per square foot.

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

15. In accordance with MGO 13.21, all operating wells shall be identified and permitted by the Water Utility and all unused private wells shall be abandoned.

Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following two items:

16. All declarations of fire lane easements shall be maintained.
17. All fire lanes shall be maintained and kept clear and accessible during any and all construction.

Please contact my office at 261-9632 if you have questions about the following four Planning Division conditions of approval:

18. That the applicant work with the Planning Division and staff of the Capital Area Regional Planning Commission to confirm the presence of any wetlands on this property and to revise the Certified Survey Map and/or environmental corridor maps as needed prior to final staff approval of the CSM for recording. Provide a 75-foot protective buffer for any wetlands present pursuant to Madison General Ordinances 37.09(3)(h) and the Wisconsin Administrative Code (NR 103.04)
19. That as a condition of the exclusion of proposed Lot 1 from the recently expanded Urban Design District 1, the applicant shall submit covenants and restrictions for approval by the Plan Commission prior to final approval and recording of the Certified Survey Map.
20. That the applicant receive separate approval from the Plan Commission of a demolition permit to allow the future demolition of the principal building located at 4706 Femrite Drive, which is located on proposed Lot 2. Approval of this CSM does not convey approval to demolish that structure.
21. That a note be placed on the final CSM prior to recording requiring the owner of Lot 2 to submit a site plan for the entire property at the time of further development that addresses the use of the

portions of that lot adjacent to the residences at 4702 and 4710 Femrite Drive. Any development on Lot 2 west of the eastern line of the 4710 Femrite Drive parcel shall be fully screened from the residences on the adjacent properties and shall not include any open storage, trash enclosures or utility or refrigeration equipment appurtenant to the development elsewhere on the CSM. In the event that the applicant acquires one or both of the residences, a subsequent CSM is recommended to combine the parcel(s) with Lot 2 and to eliminate the "saw tooth" configuration, at which time the restrictions stated above may be reduced or eliminated at the discretion of the Planning Division.

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

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 July 7, 2009.

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.

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 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. If you have any questions or if you may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Janet Dailey, City Engineering Division
John Leach, Traffic Engineering Division
Dennis Cawley, Madison Water Utility
Pat Anderson, Assistant Zoning Administrator
Scott Strassburg, Madison Fire Department
Jeff Ekola, Office of Real Estate Services
Norb Scribner, Dane County Land Records and Regulations