



Department of Planning & Community & Economic Development

Planning Division

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June 22, 2016

Todd Buhr
JSD Professional Services, Inc.
161 Horizon Drive, Suite 101
Verona, Wisconsin 53593

RE: LNDCSM-2016-00017 – Certified Survey Map – 4909 Commercial Avenue (Francois Oil Co. Inc.)

Dear Mr. Buhr;

The two-lot certified survey of property located at 4909 Commercial Avenue, Section 3, Township 7N, 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 four (4) items:

1. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering 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 2 working days prior to requesting City Engineering Division signoff.
2. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM, the applicant shall contact Brenda Stanley at 608-261-9127 (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).
3. 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.
4. The property shall either have two separate sanitary sewer laterals or an ownership/maintenance agreement (recorded) shall be in place prior to CSM approval. It appears the proposed lots share a private main, which necessitates the need for both an easement and an ownership and maintenance agreement.

Please contact Jeff Quamme of the City Engineering Division—Mapping Section at 266-4097 if you have questions regarding the following nine (9) items:

5. Add a note that the Drainage Easement shown at the western end of the CSM is also an area reserved for stormwater retention for Lots 1, 2 and 3 of Certified Survey Map No. 8677.
6. Denote on the face of the CSM on sheets 1-3 along the side of the CSM that abuts STH 30: "No Vehicular Access per Document Nos. 1013565 and 820381".
7. Revise the note on sheet to for the buffer and setback: "30-foot Landscape Buffer and 30-foot State Building Setback Line per Certified Survey Map No. 8677."
8. Show the location and label the General Access Easement on Sheet 36 per Document No. 2888676 that benefits all lots within this CSM.
9. Correct the bearing under Note 2 to read 29 seconds, not 26 seconds.
10. Add, label and dimension the 5' and 30' wide Private Drainage Swale Easements per Document No. 2888677. Dimension the detention pond easement at the west end.
11. Label the width of the MG&E easement per Document No. 2935235.
12. 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 Division. 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.
13. 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.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following two (2) items:

14. All operating private wells shall be identified and permitted by the Water Utility and all unused private wells shall be abandoned in accordance with MGO Section 13.21.
15. This property is in a Wellhead Protection District–Zone (29). This use is permitted as it predates the establishment of the City of Madison Wellhead Protection Ordinance. Any future expansion or change in use for this property will require review by the Madison Water Utility General Manager or his designated representative.

Please contact my office at 261-9632 if you have any questions regarding the following two (2) items:

16. The developer shall submit reciprocal cross-access and shared parking easements and agreements necessary to govern development and operation of the planned multi-use site for the review and approval of the City Engineer, City Traffic Engineer and Planning Division Director prior to final approval and recording of the CSM.
17. Before the Certified Survey Map can be approved for recording, the applicant shall obtain site plan approval per Sections 28.183 and 28.186 of the Zoning Code to reflect the site improvements in relation to the proposed lot lines created by the subject CSM.

Please contact Jenny Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following four (4) items:

18. Signature block certifications shall be executed by all parties of interest, pursuant to Wis. Stats. 236.21(2)(a). All signatory parties shall provide documentation that proves said signatories have legal authority to sign the Owner's Certificate. 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.
19. 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..."
20. Please confirm if J & K Holdings, Inc. holds a lessee or other ownership interest in the property. A Consent of Lessee shall be included for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to CSM sign-off.
21. Remove the word "interim" from the City of Madison Plan Commission Certificate.
22. Revise the Consent of Mortgagee certificate to include the current mortgagee after assignment and have said certificate executed prior to CSM approval sign-off. Change the word "restricting" to "dedicating".

23. As of May 27, 2016, the remainder of the 2015 real estate taxes are due for the subject property. 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.
24. As of this letter, there are no special assessments reported. All known special assessments are due and payable prior to CSM approval sign-off.
25. 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.
26. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Jenny Frese in City's Office of Real Estate Services (jfrese@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 (April 11, 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.
27. The CSM shall be revised prior to sign-off as follows:
 - a.) Revise the label of the 30' Landscape Buffer and 30' State Building Setback Line on Sheet 2 to include the entire title and reference to CSM 8677 Document No. 2882335.
 - b.) Remove Note #4 on Sheet 2 and 3 to avoid duplication.
 - c.) Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.
 - d.) 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.
 - e.) Depict, label and dimension the Cross Easement Agreement area as seen on Exhibit A of Document No. 2888676.
 - f.) Depict, label and dimension the Drainage Easement Agreement area as seen on Exhibit A of Document No. 2888677.
 - g.) If the limits of the area reserved for storm water retention for Lots 1, 2 and 3 of prior CSM 8677 cannot be clearly depicted and are not traceable, include a Note to describe the reservation area.

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 was approved by the Common Council on June 21, 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.

The owner shall email the document number of the recorded CSM to Jenny Frese at the City's Office of Real Estate Services as soon as the recording information is available.

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
Sally Sweeney, City Assessor's Office
Dennis Cawley, Madison Water Utility
Jenny Frese, Office of Real Estate Services