



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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215 Martin Luther King Jr. Boulevard  
Madison, Wisconsin 53703  
Phone: (608) 266-4635  
[www.cityofmadison.com](http://www.cityofmadison.com)

December 5, 2018

Dan DiFrancesco  
Sundial Capital, LLC & C&P Capital, LLC  
1295 Northland Drive, Suite 270  
Mendota Heights, Minnesota 55120

RE: LNDCSM-2018-00042; ID 53442 – Certified Survey Map – 204-216 Cottage Grove Road

Dear Mr. DiFrancesco;

The two-lot Certified Survey Map of property located at 204-216 Cottage Grove Road, Section 9, Township 7N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The 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 Brenda Stanley of the City Engineering Division at (608) 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 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.
2. The lots within this certified survey map are inter-dependent 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 Certified Survey Map, and recorded at the Dane County Register of Deeds.
3. 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](mailto:ttroester@cityofmadison.com)) or Brenda Stanley at 261-9127 ([bstanley@cityofmadison.com](mailto: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).
4. The following note shall be placed on the Certified Survey Map: "No changes in drainage patterns associated with development on any or all lots within this CSM shall be allowed without prior approval of the City Engineer."

**Please contact Jeff Quamme of the City Engineering Division–Mapping Section at (608) 266-4097 if you have questions regarding the following fifteen (15) items:**

5. The northwesterly corner of the CSM that is at the southern limits of the Busse St. culdesac appears to be too far east and likely needs to be moved westerly. The west and easterly boundaries of this CSM should be near parallel and the northwesterly most corner at the SW corner of Lot 9 Block 5 of Olbrich park should be 30 feet easterly of the west boundary of this CSM as it is extended northerly (being the center line of vacated Busse St). Any required adjustment of the west boundary will also require the adjustment of the Busse Street culdesac right of way.
6. The location of the West 1/4 corner is incorrect. Please see the latest tie sheet by Chris Adams. The former brass cap monument that was not at the location of the corner has been destroyed. A ¾-inch rebar has been placed at the true location of the corner. This will also change the position, bearing and distance of the quarter line.
7. The portion of the Public Easement per Document No. 1264153 within this property is 21.5 feet wide, not 21.55 feet. Also, revise the label text to read an Easement for all public purposes (including sidewalk) except street purposes.
8. Declaration of Easement per Document No. 1793126 created a 15-foot wide general ingress and egress easement in favor of Outlot 21 of Blooming Grove Assessor's Plat No. 7. This shall be addressed and noted on the CSM.
9. The applicant shall determine if an amendment to the Shared Entry Drive Agreement (Document No. 2635222) with Walgreens is necessary due to the parking and new buildings proposed within the limits of the easement along its northeasterly side. Any amendment will be required to be recorded prior to final site plan sign off.
10. The Storm Sewer easement per Document No. 871453 shall be released shall be released by separate document prepared by City Office of Real Estate Services and removed from the CSM prior to final sign off. The applicant must prepare metes and bounds legal descriptions and scale map exhibits and \$500 for the portions to be released and provide to Engineering Land Records Coordinator Jeff Quamme for review (608-266-4097) (jrquamme@cityofmadison.com).
11. Dimension the location of the MG&E Easement per Document No. 1465112 and 5261779.
12. The bearing of the chord of Curve 2 in the curve table is incorrect by one degree.
13. Provide the required recorded as data on the exterior boundary from Blooming Grove Assessor's Plat No. 7, Document No. 1264058 (cul-de-sac acquisition) and Document No. 1161721 (Cottage Grove Road acquisition).
14. Add Document No 1264153 to the "No Direct Access Restriction" note to Busse Street.

15. Add a note to the Masonry Building label that it is to be demolished.
16. Correct the spelling of Johns St and Ordinance within the legal description on page 2
17. 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. Note: Land tie to two PLS corners required.
18. 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.
19. 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 Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following item:**

20. The developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

**Please contact Kathleen Kane of the Parks Division at (608) 261-9671 if you have any questions regarding the following two (2) items:**

21. The following note should be included on the CSM: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."
22. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the North Park-Infrastructure Impact Fee district. Please reference ID# 18105.1 when contacting Parks Division staff about this project. The Parks Division will be required to sign off on this land division.

**Please contact my office at (608) 261-9632 if you have any questions about the following two (2) items:**

23. The proposed Certified Survey Map creates or alters a planned multi-use site. Per Section 28.137(2)(a), a planned multi-use site shall have a plan and reciprocal land use agreement approved by the Traffic Engineer, City Engineer and Director of Planning and Community and Economic Development and recorded in the office of the Dane County Register of Deeds. Approval of the plan and easement(s) to govern this site shall be approved prior to final approval of the CSM for recording.
24. The site plan on file with the Zoning Administrator for the bank 216 Cottage Grove Road shall be amended to reflect the proposed lot configuration. Please contact the Zoning Office for more information on this related approval; (608) 266-4551.

**Please contact Heidi Radlinger of the Office of Real Estate Services at (608) 266-6558 if you have any questions regarding the following eight (8) items:**

25. Revise Lender heading to Consent of Mortgagee to include the language "...surveyed, divided, mapped and dedicated..."
26. 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.
27. A Consent of Lessee certificate shall be included on the CSM for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to CSM sign-off, or if buildings are to be razed, make note of such.
28. The 2017 real estate taxes are paid for the subject property. Per 236.21(3) Wis. Stats. and Section 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.
29. As of the date of this letter there are no special assessments reported. All known special assessments are due and payable prior to final CSM sign-off. If special assessments are levied against the property

during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to MGO Section 16.23(5)(g)1.

30. 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 (September 26, 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.
31. The owner shall email the document number of the recorded CSM to Heidi Radlinger at the City's Office of Real Estate Services at [hradlinger@cityofmadison.com](mailto:hradlinger@cityofmadison.com) as soon as the recording information is available.
32. Revise the CSM prior to final approval and recording to depict and dimension all existing improvements including, but not limited to: buildings, drives, parking lots and encroachments located within the CSM boundary OR if buildings are to be razed make note of such.

**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 at its December 4, 2018 meeting.**

**Note: The approval of this CSM does not grant permission to demolish any existing building or construct a new building; such approvals have been granted separately.**

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.**

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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  
Kathleen Kane, Parks Division  
Heidi Radlinger, Office of Real Estate Services