



Department of Planning & Community & Economic Development
Planning Division

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June 17, 2009

Brad Elmor
The Alexander Company
145 E. Badger Road
Madison, Wisconsin 53713

RE: File No. LD 0913 – Certified survey map – 1127-1291 N. Sherman Avenue

Dear Mr. Elmor:

The three-lot certified survey of your property generally located at 1127-1291 N. Sherman Avenue, Section 31, Township 8N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The site is zoned C2 (General 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 eleven (11) conditions:

1. Due to known contaminants existing on this property, revise the N. Sherman Avenue right of way dedication to Permanent Limited Highway Easement. Also add the following note to the CSM:

“The Permanent Limited Highway Easement shall be dedicated to the City of Madison at no cost upon request by the City Engineer when site contaminants are clean. There shall be no private construction of buildings or improvements permitted by the City of Madison within this easement area prior to dedication.”
2. Dedicate a 15-foot wide public sloping and grading easement along the existing unchanged N. Sherman Avenue right of way and also inside and parallel with the new Permanent Limited Highway Easement area.
3. Informational note only: The proposed PLE dedication shall be required to facilitate a left turn lane and pedestrian crossing islands on N. Sherman Avenue, which shall be constructed in the future by the City. There is no set schedule for this work to date.
4. The applicant shall dedicate a 5-foot wide Permanent Limited Easement for grading and sloping along Roth Street.
5. The applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along Roth Street in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09, MGO.

6. 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.

7. 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.
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. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering Division signoff.
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 transmit to epederson@cityofmadison.com
11. City of Madison Environmental Projects Staff have reviewed the subject site and determined that a Phase I ESA **will** be required of the applicant. The applicant shall provide 1 digital and 2 hard

copies of an ASTM Phase I ESA prepared by an environmental professional. Staff review of this Phase I ESA will determine if a further investigative Phase II ESA is also required. Please submit any relevant Phase I and Phase II ESAs to Brynn Bemis (267-1986, bbemis@cityofmadison.com) for further review.

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

12. The applicant shall modify Line Table line L17 to 75 feet to accommodate the N. Sherman Avenue improvements.

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

13. 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. The applicant shall submit a revised site plan reflecting the proposed land division for staff review prior to signoff of this CSM.

Note: The applicant should contact Zoning staff, who may have additional conditions related to this land division.

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

14. If Lot 3 is developed in the future, it will require a new water service lateral connected to the public water main in N. Sherman Avenue.
15. All operating private wells shall be identified and permitted by the Madison Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.

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

16. The CSM proposes to establish lot lines within close proximity to or through the exterior walls of buildings on the site and on adjacent properties. The applicant shall contact the Plans Review Section of the Building Inspection Division to discuss Building and Fire Code compliance for the subject property. The applicant shall receive all necessary Building and Fire Code-related approvals required to bring the building(s) into compliance prior to the final approval and recording of the Certified Survey Map. Please contact Mike Van Erem at 266-4559 for more information.
17. The applicant shall submit copies of the common wall easements referenced on Sheet 2 of 4 to the Planning Division for review and future reference. These easements may also be required to satisfy condition #16 above.
18. The applicant shall submit an exhibit showing the limits of the parking and access easement contained in Document No. 450021. If the existing easement does not uniformly include the entire

CSM site, the limits of the easement shall be reflected on Sheet 2. If the easement includes property off the subject site, that shall be noted on Sheet 2 as required by 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 will be 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 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
Mike Van Erem, Building Inspection Division
Dennis Cawley, Madison Water Utility
Pat Anderson, Assistant Zoning Administrator
Jeff Ekola, Office of Real Estate Services
Norb Scribner, Dane County Land Records and Regulations