



Department of Planning & Community & Economic Development
Planning Division

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June 2, 2009

Frank Thousand
Arnold & O'Sheridan
1111 Deming Way, Suite 200
Madison, Wisconsin 53717

RE: File No. LD 0910 – Certified survey map – 2101-2115 East Springs Drive (Steinhafel's)

Dear Mr. Thousand:

The three-lot certified survey of your client's property generally located at 2101-2115 East Springs Drive, Section 7, Township 8N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The site is zoned 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 fourteen (14) conditions:

1. The City Engineer may at the City Engineer's discretion, allow an excavation permit in place of a Development Agreement as required for the infrastructure improvement proposed to serve this development. The applicant shall meet with Engineering Division staff to discuss the improvements. Any required permit or agreement must be in place prior to sign off.
2. Wetlands on the site shall be identified in a report submitted to the City Engineer.
3. Current FEMA 100-year flood plain limits shall be shown on the CSM.
4. All existing wetlands shall be shown on the CSM along with the required 75-foot buffers that may restrict development within portions of Lots 1 and 2.
5. Plans need to be revised to include the 24-inch diameter MMSD sewer interceptor easement(s) on the south and western property lines of the proposed development.
6. Correct the numerous errors in the Surveyor's Certificate legal description and Curve Table found on Sheet 2 of 4.
7. Include on the CSM a bearing reference and PLSS coordinate information.
8. Include existing and resultant right of way width dimensions for East Springs Drive.
9. Include recorded and measured values on the CSM when different from that of the underlying recorded Regional East V Subdivision Plat.

10. 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.

11. 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.

12. 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."

13. A minimum of 2 working days prior to requesting City Engineering signoff on the CSM, the applicant shall contact Janet Dailey (261-9688) 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).

14. 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 signoff.

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

15. In accordance with the Common Council's adopted resolution, the development and parcel(s) are subject to special assessments for the High Crossing Boulevard Interchange Improvement District.

16. The applicant shall dedicate a 20-foot wide public or private pedestrian/bike easement from East Springs Drive right of way to the most southerly property line that shall be reviewed and approved by the City Traffic Engineer.
17. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights and traffic signals prior to sign off.
18. The applicant shall graphically show the "No Vehicular Access Restriction" on the face of the CSM. The applicant shall show the no vehicular access restriction except as show as the proposed 30-foot joint ingress/egress easements.

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

19. A reciprocal land use agreement or a cross access easement agreement shall be approved by the Traffic Engineer, City Engineer and Director of Planning and Development recorded in the Office of the Dane County Register of Deeds.

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

20. Each lot shall have a separate water service lateral connected to the public water main in East Springs Drive. Since Lot 1 does not have frontage on a public street, a private water service lateral easement shall be dedicated across either Lot 2 or 3.

Lot 1 of the proposed land division does not have frontage on a public street and is landlocked. The Subdivision Regulations allow such lots to be included in land divisions as part of an approved planned commercial site when a reciprocal land use agreement or plan of building placement exists. Therefore, this CSM shall be contingent upon the plans and conditions of approval for the planned commercial site conditional use approved for the subject site by the Plan Commission on May 4, 2009.

Please note that the City Office of Real Estate Services has reviewed the report of title provided with this survey and verbally indicated their approval for this CSM. Please contact Jeff Ekola at 267-8719 for more information about this review.

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 May 19, 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
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