



Department of Planning & Community & Economic Development

## Planning Division

Katherine Cornwell, Director

Madison Municipal Building, Suite LL-100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

[www.cityofmadison.com](http://www.cityofmadison.com)

February 23, 2015

Michael S. Marty  
Vierbicher Associates, Inc.  
999 Fourier Drive, Suite 201  
Madison, Wisconsin 53717

RE: File No. LD 1501 – Certified Survey Map – 2583 University Avenue (Kingston Corner, LLC)

Dear Mr. Marty;

Your one-lot certified survey of property located at 2583 University Avenue, Section 21, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned TSS (Traditional Shopping Street District). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

**Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following nine (9) items:**

1. The plat of Highland Park is a bit vague regarding the total width of Grand Avenue. The proposed Certified Survey Map (CSM) shows a total width of 66 feet and the plat's only width would be 65.5 feet. The surveyor shall provide confirmation of the width of Grand Avenue as shown on the CSM.
2. The map shall dimension a width of 37.75 feet to the centerline of University Avenue and a total width of 70.75 feet along the northeast side of the proposed CSM.
3. The third line from the end of the legal description under the surveyor's certificate shall be modified removing "its southerly extension thereof" and inserting "said Lot 2".
4. Correct the adjacent street name from Stevens Avenue to Stevens Street.
5. Per the Wisconsin Department of Natural Resources (DNR) closure letter, the property was closed with residual groundwater and soil contamination (reference BRRTS #03-13-170394) and requires a barrier cap. Written approval from DNR is required prior to removing the existing cap. Proof of coordination with DNR shall be submitted to Brynn Bemis at [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com) prior to sign off. If you have questions regarding this issue please contact Brynn at 267-1986.
6. The developer shall enter into a City/ Developer agreement for the installation of public improvements required to serve this CSM. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet

with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this CSM without the agreement executed by the developer.

7. 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 Janet Schmidt (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
8. 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.
9. 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 1 hard copy 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](mailto:bbemis@cityofmadison.com)) for further review.

**Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following item:**

10. Note: All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility per MGO Sec. 13.21.

**Please contact Heidi Radlinger of the Office of Real Estate Services at 266-6558 if you have any questions regarding the following five (5) items:**

11. Prior to requesting final sign-off, executed signature block certifications shall be included for 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.
12. Disclose any tenancy in excess of one year and provide the document number or tenancy description as a note on the face of the CSM.
13. Include the following Plan Commission certificate on the final CSM:

Approved for recording per the Secretary of the City of Madison Plan Commission.

By: \_\_\_\_\_  
Natalie Erdman, Interim Secretary Plan Commission

Date: \_\_\_\_\_

14. Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes and special assessments that are accrued or delinquent for the subject property prior to CSM recording. As of this letter, real estate taxes are paid for the subject property and there are no special assessments owed.
15. Prior to final CSM sign-off, please verify with Janet Schmidt of the City Engineering Division (261-9688) or Sharon Pounders at the Water Utility (266-4641) that stormwater management fees are paid in full.

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

16. The following note shall be added to the CSM: "Lots/ buildings within this subdivision / development are subject to impact fees that are due and payable at the time building permit(s) are issued."

**Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.**

**Note: Approval of this CSM does not confer any approval to demolish the existing building or construct any new buildings. A letter regarding the related demolition permit and conditional use will be sent separate from this letter.**

**A resolution approving the CSM and authorizing the City to sign it and any other documents related to the proposed land division will be reviewed by the Common Council on March 3, 2015.**

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 [jqumme@cityofmadison.com](mailto:jrqumme@cityofmadison.com).

The owner shall furnish to the Office of Real Estate Services and the survey firm preparing the CSM an updated title report covering the period between the date of the initial title report and the date when final signoff is requested. The surveyor shall update the CSM with the most recent information reported in the title update.

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 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: Janet Schmidt, City Engineering Division  
Dennis Cawley, Madison Water Utility  
Kay Rutledge, Parks Division  
Sally Sweeney, City Assessor's Office  
Heidi Radlinger, Office of Real Estate Services  
Dan Everson, Dane County Land Records and Regulations