



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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**\*\*BY E-MAIL ONLY\*\***

August 9, 2023

Brett Stoffregan and Dan Day  
D'Onofrio Kottke and Associates, LLC  
7530 Westward Way  
Madison, Wisconsin 53717

RE: LNDCSM-2023-00013; ID 77937 – Certified Survey Map – 702-750 University Row (Paul G. Lenhart, University Row Clinic, LLC and GI Clinic, LLC)

Dear Brett and Dan;

At its July 10, 2023 meeting, the Plan Commission found the standards met and **approved** your Certified Survey Map of property located at 702-750 University Row subject to conditions. 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 July 25, 2023 meeting. The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM follow.

**Please contact Tim Troester of the City Engineering Division at (608) 267-1995 if you have questions regarding the following three (3) items:**

1. The developer is made aware that there is a flood overflow across the property toward the west property line. New development shall accommodate this flow and flood protect buildings to the required elevation.
2. 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.
3. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM, contact either Tim Troester (West) at (608) 261-1995 ([ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com)) or Brenda Stanley (East) at (608) 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 and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

**Please contact Julius Smith of the City Engineering Division–Mapping Section at (608) 264-9276 if you have questions regarding the following fourteen (14) items:**

4. Grant a Public Storm Sewer Easement(s) to the City on the face of this Certified Survey Map to replace the easement being displaced by the proposed concurrent development. Location and size of this easement shall be approved by City Engineering. Contact Jule Smith of Engineering-Mapping ([jsmith4@cityofmadison.com](mailto:jsmith4@cityofmadison.com), (608) 264-9276) for the final required easement language to include on the CSM.
5. Grant a Public Sidewalk to the City on the face of this Certified Survey Map along the Northeast Corner of Lot 2 at one-foot off the existing public sidewalk as it is currently located. Contact Jule Smith of Engineering Mapping ([jsmith4@cityofmadison.com](mailto:jsmith4@cityofmadison.com), (608) 264-9276) for the final required easement language to include on the CSM.
6. There are public storm sewer easements and possible bike path easements that will require partial releases for the proposed structure to be constructed as shown. Upon City Engineering approval of the release provide exhibits and legal descriptions of the approved areas. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jule Smith of Engineering Mapping ([jsmith4@cityofmadison.com](mailto:jsmith4@cityofmadison.com), (608) 264-9276) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat.
7. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final CSM.
8. Add mortgage certificate as needed.
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 monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)).
10. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Certified Survey Map in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations.
11. Prior to Engineering final sign-off by main office for Certified Survey Maps, the final CSM shall be submitted in PDF format by email transmittal to Engineering Land Records Coordinator Jeff Quamme ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
12. This pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds, the new parcel data created by the Assessor's Office, and the

parcel data available to Zoning and Building Inspection staff prior to issuance of building permits for new construction or early start permits.

13. Correct the quarter/quarter call in both the caption at the top of each sheet and the legal description for the SW SE of Section 18. Also include the document number of the plat in the caption of each sheet.
14. Make the tie to section line legible.
15. Show the centerline of all streets.
16. Tie existing building to property line.
17. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject CSM, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work shall be void of gaps and overlaps and match the final recorded CSM: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).

\*This transmittal is a separate requirement than the required submittals to 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 submittal.

**Please contact Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have any questions regarding the following item:**

18. The following information shall be noted on the CSM prior to final approval: “The properties are located within Wellhead Protection District—Zone (WP-14). Uses of the properties are required to comply with the City of Madison Wellhead Protection requirements as provided under MGO Sections 13.22 and 28.102.”

**Please contact Lance Vest of the Office of Real Estate Services at (608) 245-5794 if you have any questions regarding the following seven (7) items:**

19. Prior to approval sign-off by the Office of Real Estate Services (“ORES”), the Owner’s Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report. When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain final sign-off.

20. Prior to CSM approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s).
21. Include certificates of consent for the mortgagees identified in the title report; First Business Bank and the City of Madison
22. 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.
23. As of July 3, 2023, the 2022 real estate taxes are paid for the subject property. As of July 3, 2023, there are no special assessments reported. Per 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 may become due prior to CSM recording. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off.
24. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Lance Vest (lvest@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 submitted with the CSM application and include all associated documents that have been recorded since the initial title report (April 3, 2023). 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. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.
25. Please revise the final CSM prior to final approval as follows:
  - a. Depict, name, and identify by document number all existing easements cited in record title and the updated title report. Depict and identify the easements recorded as Document Nos. 1076926 and 4855074, or ask the title company to remove them from the updated title report if no longer applicable.
  - b. Depict and dimension all existing improvements including, but not limited to: buildings, drives, parking lots, encroachments, wells, septic systems, etc. located within the CSM boundary. In particular, the driveway and parking lot located on the proposed Lot 2.
  - c. If all parties of interest agree that certain easements from prior plats or CSMs of record are no longer necessary, the release documents for said easements shall be recorded prior to CSM approval sign-off, with the recording information for the release included as a note on the proposed CSM.

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

**Approval of this Certified Survey Map does not include any approval to construct new buildings on the subject site. A letter with the conditions of approval for the related development of the site was sent separately.**

In order to commence the process for obtaining the necessary City signatures on the Certified Survey Map, the applicant shall e-mail the revised CSM, updated title report, and any other materials required by reviewing agencies to the reviewing planner. The reviewing planner will share the updated materials with the relevant commenting City agencies for them to verify that their conditions have been satisfied and that the secretary or designee may sign the Plan Commission approval certificate. Once the Plan Commission certificate is executed, the Planning Division will make the City Clerk's Office aware that the Common Council certificate may be executed.

Once all of the necessary City signatures have been affixed to the Certified Survey Map, the instrument may be recording at the Dane County Register of Deeds Office. For information on recording procedures and fees, please contact the Register of Deeds at (608) 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.**

If you have any questions or if you may be of any further assistance, please do not hesitate to contact my office at (608) 261-9632 or [tparks@cityofmadison.com](mailto:tparks@cityofmadison.com).

Sincerely,



Timothy M. Parks  
Planner

cc: Tim Troester, City Engineering Division  
Julius Smith, City Engineering Division—Mapping Section  
Jeff Belshaw, Madison Water Utility  
Lance Vest, Office of Real Estate Services