



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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July 6, 2022

Todd Buhr  
JSD Professional Services, Inc.  
161 Horizon Drive; Suite 101  
Verona, Wisconsin 53593

RE: LNDCSM-2022-00026; ID 71666 – Certified Survey Map – 1209 University Avenue and 309 N Orchard Street (Board of Regents of the University of Wisconsin System and the Wisconsin Alumni Research Foundation)

Dear Todd;

The one-lot Certified Survey Map combining property addressed as 1209 University Avenue and 309 N Orchard Street, Section 22, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned CI (Campus-Institutional District) and is included within the University of Wisconsin–Madison’s approved CI zoning campus master plan. The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

**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 property is an open contaminant site with the Wisconsin Department of Natural Resources (WDNR) (BRRS #02-13-551038 UW MADISON VIVARIUM, 07- 13-589514 SERVICE BUILDING AND SERVICE BUILDING ANNEX). Submit proof of coordination with the WDNR to remediate the site and address residual contaminant concerns associated with the proposed site plan (e.g. vapor mitigation, dewatering).
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. Please contact Mark Moder ((608) 261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering Division signoff.
3. A minimum of two (2) working days prior to requesting City Engineering Division sign-off on the CSM contact either Tim Troester (West) at 261-1995 ([ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com)) or Brenda Stanley (East) 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 and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

**Please contact Jeff Quamme of the City Engineering Division–Mapping Section at (608) 266-4097 if you have questions regarding the following twelve (12) items:**

4. Curve C-1 appears to be incorrect in location and configuration. It does not correlate to State Project Right of Way per Project No. SU1114(6) and the acquisition per Document No. 1158426. It also does not match right of way shown per right of way plat Project No. 5992-05-24. The curves per CSMs 12532 and 12867 on each side of N Orchard Street do not have correct radii and are shown to be concentric, which they are not, but are 2.5 feet offset from one another. Correct this curve and existing right of way on this CSM. The map shall show, label and reference the original conveyance per Document No. 1158426.
5. The light pole easement per Document No. 3627963 is not in space within the CSM, but shall be shown with C-1 correction to be adjacent to the public right of way of W Johnson Street.
6. Any required street dedication or public easements required along University Avenue and/or W Johnson St by the Traffic Engineering Division for terrace widths shall be granted on the face of the Certified Survey Map. Any easement shall include required text of conditions of the easement. Contact Jeff Quamme for the text. ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com))
7. The title work acknowledges a conveyance to the City per Document No. 1177083, but does not acknowledge the portion conveyed back to the University per Document No. 1243999. Update the title information accordingly.
8. The CSM shall also acknowledge on the map that the Encroachment Agreements per Document Nos. 4425526, 4456637, 4462788, and 4712400 include other amenities within the N Orchard Street right of way, including geothermal lines, bike racks, linear trench drain, sanitary manholes, handrails, electric manholes and light fixtures.
9. Remove the right of entries per the notes have they expired with the completion of the construction of W Johnson St in the early 2000's. Any existing utilities in this area shall be shown and noted on the CSM.
10. The 'North' and 'West' in street names shall be changed to abbreviated directionals of N. and W. on all street names on all sheets.
11. 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))
12. 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. Visit the Dane County Surveyor's Office for current tie sheets and control data that has been provided by the City of Madison.

13. Prior to final City Engineering Division sign-off by main office for CSM, the final CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final City Engineering Division sign-off.
14. 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 City Assessor's Office and the parcel data available to Zoning and Building Inspection staff prior to issuance of building permits for new construction.
15. The applicant shall submit to Julius Smith 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 Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have questions regarding the following two (2) items:**

16. The applicant shall dedicate right of way or grant a public sidewalk easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W Johnson Street.
17. The applicant shall dedicate right of way or grant a public sidewalk easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along University Avenue.

**Please Lance Vest of the City's Office of Real Estate Services at (608) 245-5794 if you have questions regarding the following six (6) conditions:**

18. 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 approval sign-off.

19. 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).
20. 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
21. As of June 17, 2022, there are special assessments reported. All known special assessments are due and payable prior to CSM approval 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. In lieu of this requirement, the owner may present written documentation from the City's Board of Public Works that the special assessments may be continued to be paid on the installment basis authorized by the Board of Public Works. However, if lands within the CSM boundary are to be dedicated, the special assessments levied against the dedicated lands are to be paid in full.
22. 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 (September 27, 2021) 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. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.
23. The Rights of Entry included in the title report as Document Nos. 3627961 and 3630537 are now terminated. Please request that the title company remove these items from the updated title report.

**Note: This CSM shall be executed by all parties, granted final approval by the City, and recorded at the Dane County Register of Deeds before the related CDIS Condominium may be approved for recording. Comments on that condominium have been sent separately.**

**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 will be reviewed by the Common Council at its July 12, 2022 meeting.**

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

Sincerely,



Timothy M. Parks  
Planner

cc: Tim Troester, City Engineering Division  
Jeff Quamme, City Engineering Division—Mapping Section  
Sean Malloy, Traffic Engineering Division  
Lance Vest, Office of Real Estate Services