



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 120-128 North Orchard Street and 1313-1314 Randall Court Street  
(8<sup>th</sup> Alder District, Alder Bennett)

**Application Type:** Demolition Permit, Conditional Use, Certified Survey Map

**Legistar File ID #:** [73814](#), [73815](#) & [74046](#)

**Prepared By:** Lisa McNabola, Planning Division  
Report Includes Comments from other City Agencies, as noted

**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant & Owner:** Joseph Soderholm; 4 Lakes Properties; 31 South Mills Street, Madison, WI 53715

**Contact:** Kevin Burow; Knothe & Bruce Architects; 7601 University Avenue, Middleton, WI 53562

### Requested Actions:

- ID 73814 – Consideration of a demolition permit to demolish five residential buildings at 120-128 North Orchard Street and 1313-1314 Randall Court;
- ID 73815 – Consideration of conditional uses for a multi-family building with between 37 and 60 units, and for a building exceeding six stories and 78 feet in height, all to allow an eight-story multifamily building with 48 units in the Traditional Residential-Urban 2 (TR-U2) District at 120-128 North Orchard Street and 1313-1314 Randall Court;
- ID 74046 – Consideration of a Certified Survey Map (CSM) to create one lot for the proposed multi-family building at 120-128 North Orchard Street and 1313-1314 Randall Court and one lot for an existing multifamily development at 1309-1311 West Dayton Street.

**Proposal Summary:** The applicant is seeking approvals to demolish five residential buildings and construct an eight-story, 48-unit residential building on one lot created by CSM at 120-128 North Orchard Street and 1313-1314 Randall Court. The CSM would also create a second lot for an existing multifamily development at 1309-1311 West Dayton Street.

**Applicable Regulations & Standards:** Standards of approval for demolition permits are found in §28.185(6) M.G.O. Standards for conditional use approvals are found in §28.183(6) M.G.O. Standards for certified survey maps are found in §16.23(5) M.G.O.

**Review Required By:** Plan Commission and Common Council (CSM only)

**Summary Recommendation:** The Planning Division recommends the following to the Plan Commission regarding the applications for 120-128 North Orchard Street, 1313-1314 Randall Court and 1309-1311 West Dayton Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission finds that the approval standards for demolition permits are met and **approve** the demolition of five residential buildings at 120-128 North Orchard Street and 1313-1314 Randall Court;

- That the Plan Commission finds that the approval standards for Certified Survey Maps are met and forward the CSM creating two lots at 120-128 North Orchard Street, 1313-1314 Randall Court and 1309-1311 West Dayton Street to the Common Council with a recommendation for **approval**;
- That the Plan Commission finds that the approval standards for conditional uses are met and **approve** the conditional uses for a multi-family building with between 37 and 60 units, and for a building exceeding six stories and 78 feet in height in the Traditional Residential-Urban 2 (TR-U2) District to allow an eight-story, 48-unit residential building at 120-128 North Orchard Street and 1313-1314 Randall Court.

## Background Information

**Parcel Location:** The site of the proposed development includes five parcels totaling 17,905 square feet (.41 acres) located along North Orchard Street between West Dayton Street and Spring Street. The rear of the site is located along Randall Court. The site of the existing multifamily development is an 11,979 square-foot (.27-acre) parcel located along West Dayton Street between North Randall Avenue and North Orchard Street. The rear of the parcel is located along Randall Court. Both sites are located within Alder District 8 (Alder Bennett) and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The site of the proposed development, zoned Traditional Residential – Urban 2 (TR-U2) District includes five parcels. The 3-unit residential building at 120 North Orchard Street was built in 1917. The 3-unit residential building at 122/124 North Orchard Street was built in 1912. The 4-unit residential building at 126/128 North Orchard Street was built in 1909. The 2-unit residential building at 1313 Randall Court was built in 1927. The single family building at 1314 Randall Court was built in 1927. The site of the existing multifamily development at 1309-1311 Dayton Street is occupied by two, three-story buildings with six units each, built in 1996.

**Surrounding Land Use and Zoning:**

North: Eight-unit residential building, zoned Traditional Residential-Urban 2 (TR-U2) District;

East: Across North Orchard Street; two-story student dormitory, zoned Campus Institutional (CI) District; UW-Madison Atmospheric Oceanic & Space Sciences Building, zoned CI District;

South: Nine-bedroom residential building, zoned TR-U2 District; and

West: 12-unit residential building, zoned Planned Development (PD) District; single family and two-unit residential buildings, zoned TR-U2 District.

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2018) recommends Special Institutional (SI) development for the subject property. Surrounding properties are recommended for a combination of SI and High Residential (HR). The [Regent Street – South Campus Plan](#) (2008) recommends High Density with a density range of 41 to 60 dwelling units per acre.

**Zoning Summary:** The property is zoned Traditional Residential-Urban 2 (TR-U2) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	350 sq. ft./d.u. (16,800 sq. ft.)	17,905 sq. ft.
Lot Width	50'	124.04'
Front Yard Setback	15' Sec. 28.031(1): 11' 5/16"	12.2' (36)
Max. Front Yard Setback	30' or up to 20% greater than block average	12.2'
Side Yard Setback	10'	10.99' north side yard (36)

		11.3' south side yard	(36)
Reverse Corner Side Yard Setback	12'	N/A	
Rear Yard Setback	Lesser of 25% lot depth or 20'	20.8'	(36)
Usable Open Space	40 sq. ft./d.u. (1,920 sq. ft.)	Adequate	(38)
Maximum Lot Coverage	80%	76.1%	
Maximum Building Height	6 stories/ 78'	8 stories/ 89'11"	

**Section 28.031(1): Setback Averaging, Front Setback.**

Where at least fifty percent (50%) of the front footage of any block is built up with principal structures, the minimum front yard setback for new structures shall be the average setback of the existing principal structures on the block face or the normal setback requirement in the district whichever is less, but no less than ten (10) feet.

Site Design	Required	Proposed	
Number Parking Stalls	Multi-family dwelling: 1 per dwelling (48)	10 garage 7 surface (17 total)	(39)
Accessible Stalls	Yes	Yes	
Loading	Not required	None	
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (69) 1 guest space per 10 units (5) (74 total)	81 garage 10 surface (91 total)	
Landscaping and Screening	Yes	Yes	(40)(41)
Lighting	Yes	Yes	
Building Forms	Yes	Large multi-family building	(42)

*Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator*

**Environmental Corridor Status:** The subject site is not within a mapped environmental corridor.

**Public Utilities and Services:** This property is served by a full range of urban services.

## Project Description

The applicant has requested approval of a demolition permit to demolish five residential buildings. The 3-unit residential building at 120 North Orchard Street was built in 1917. The 3-unit residential building at 122/124 North Orchard Street was built in 1912. The 4-unit residential building at 126/128 North Orchard Street was built in 1909. The 2-unit residential building at 1313 Randall Court was built in 1927. The single family building at 1314 Randall Court was built in 1927. [Demolition photos](#) submitted by the applicant do not appear to show any structural issues with either building.

The CSM would create two lots. Proposed Lot 1 combines five lots into one, and will be the site of the new development. Proposed Lot 2 reconfigures an existing lot which is occupied by a multifamily development. The owner wishes to clean up the underlying property description for Lot 2.

The proposed building fronts North Orchard Street with three elevated walk-up units, and a main entrance at the north end of the building that is recessed 14 feet from the front façade. The main entry door faces north rather than facing North Orchard Street. A sidewalk connection from the rear of the building to North Orchard Street is

located along the southern lot line. The parking is located behind the building and is accessed from Randall Court. The surface parking is located at the southwest corner of the site and accommodates seven stalls. The underground parking is accessed by a shared driveway located primarily on 1309-1311 West Dayton Street and accommodates 10 stalls. There are 81 bike stalls in the underground parking, six bike stalls next to the main entrance, and four bike stalls next to the rear entrance.

The proposed unit mix includes 14 one-bedroom units, 14 two-bedroom units, four three-bedroom units, nine four-bedroom units, and seven five-bedroom units. Private balconies are provided in all but one unit. At grade open space is located at the north end of the building. The site plan does not appear to show pedestrian access to the open space.

The building is eight stories with a 14-foot stepback above the third story. The first three stories do not run the full length of the building. The primary façade material on the first story is a brown brick veneer. Accent materials include a charcoal metal panel and vertical “wood-tone” aluminum longboard. The primary building materials on the second and third story façades is a buff brick veneer, and a charcoal metal panel and horizontal wood-tone aluminum longboard are used as an accent materials. The buff brick frames the wood-tone aluminum on each story. This material combination is continued on the upper stories. Each façade incorporates a different vertical element. A charcoal metal panel is used in the middle of the south façade. A brown brick veneer is used towards the south end of the west façade. A charcoal metal panel is used on half of the north façade. The third and eighth floor roofs are accented by a white aluminum trellis. The window fenestration varies on each floor.

Landscaping along the frontage includes a mix of six types of perennials and grasses, two types of deciduous shrubs, three ornamental trees, and one deciduous tree. There is an exposed foundation along the south end of the building. It is mostly lined with a deciduous shrub, with five evergreen shrubs closer to the front lot line. The surface parking lot has three landscape islands with a mix of grasses, perennials and deciduous shrubs. Each island has an ornamental or deciduous tree. The surface parking lot abuts a two-unit residential building. The landscape plan shows Karl Forester Grass which grows between four to six feet in height. The open space area that wraps around the northwest corner of the building is primarily turf grass with deciduous shrubs and one deciduous tree.

## Analysis and Conclusion

This request is subject to the standards for demolition permits, conditional uses, and certified survey maps. This section begins with a summary of adopted plan recommendations, followed by demolition permit standards, land division standards, conditional use standards, and finally a conclusion.

### Conformance with Adopted Plans

The [Comprehensive Plan](#) recommends Special Institutional (SI) development for the subject property. SI areas are used primarily to identify current or recommended locations for grade schools, colleges, the UW-Madison campus, and relatively large places of assembly and worship. Large campus uses, such as the UW-Madison, may be further governed by a campus master plan adopted under the City’s Campus-Institutional zoning district. This property is not zoned Campus-Institutional.

The [Regent Street – South Campus Plan](#) (“the Regent Street Plan) recommends High Density with a density range of 41 to 60 dwelling units per acre (du/ac). At the time the Regent Street Plan was written, the Comprehensive Plan recommended a density range of 41 to 60 du/ac in High Density Residential areas. The 2018 [Comprehensive Plan](#) recommends a density range of more than 70 du/ac in High Residential areas. The proposed density of 117

du/ac is above the recommended density range in the Regent Street Plan but is consistent with the recommended density range in the 2018 Comprehensive Plan.

The Regent Street Plan also recommends an eight-story maximum building height. The proposed building is eight stories. The site is located in the Orchard Street Pedestrian District identified in the Plan, which includes additional design guidelines. Buildings in the District should stepback a minimum of 15 feet from the front façade above the third floor. The proposed building has a 14-foot stepback above the third floor and therefore is not consistent with this recommendation. Additional comments related to specific design guidelines is included below under the Conditional Use evaluation.

### **Demolition Permit Standards**

At its October 5, 2021 meeting, the Common Council adopted Ordinance 21-00065 (ID [67074](#)) to revise the standards and process for demolition and removal permits in Section 28.185 of the Zoning Code to remove consideration of proposed future use as a factor in approving demolition requests. In order to approve a demolition request under the revised standards, the Plan Commission shall consider the seven approval standards in §28.185(9)(c) M.G.O. when making a determination regarding demolition requests. The factors include a finding that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison.

The Planning Division believes that the standards for Demolition Permits can be met, but provides additional discussion regarding the following standards. Standard 1 states, "The applicant has included information related to any efforts to relocate the building, including but not limited to assessing the costs of relocation, the impact of relocation on city terrace trees, and the structural soundness of the building." The applicant would allow an interested party to relocate the buildings if it is feasible, but did not provide an assessment of the cost, impact on city trees or structural soundness of the buildings.

Standard 4 states, "That the Plan Commission has received and considered the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission." At its July 25, 2022 meeting, the Landmarks Commission found that the buildings at 1313 Randall Court, 1314 Randall Court, 120 N Orchard Street, 124 N Orchard Street, and 128 N Orchard Street have historic value related to the vernacular context of Madison's built environment, particularly related to student housing near the UW campus, but the buildings themselves are not significant.

Staff believe the Demolition Permit standards can be found met subject to input at the public hearing and comments from reviewing agencies.

### **Land Division**

The applicant has submitted a certified survey map to create two lots. As a result of the CSM proposed Lot 2 will not align exactly with the Planned Development District boundary. A small portion of Lot 2 will have TR-U2 District zoning. Zoning staff do not believe this is an issue as the two lots are treated as one zoning lot and there are no setback concerns with the split-zoned parcel. The applicant will also need approval of a minor alteration to the Planned Development District to account for the proposed site plan changes, as noted in the recommended conditions of approval. Staff believes that all applicable standards for land divisions can be found met.

## Conditional Use Standards

The Conditional Use approval standards state that the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of MGO §28.183(6) are met. Please note, recent changes to state law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

The applicant is proposing an eight-story building with 48 units. A multifamily building with between 37 and 60 units is a conditional use in the TR-U2 District. The maximum building height in the TR-U2 District is six stories and 78 feet. Heights exceeding the maximum may be allowed with conditional use approval.

Staff believe the proposal is generally consistent with the height and density recommendations in the Regent Street – South Campus Plan. However, staff note a small difference regarding stepbacks, where a 15-foot stepback is recommended from the front façade above the third floor within the Orchard Street Pedestrian District. Staff note the proposed building has a 14-foot stepback above the third floor. Staff request that the Plan Commission address the adequacy of this slightly reduced stepback as part of their findings on this item.

The Regent Street – South Campus Plan also has general design guidelines for the planning area, some of which are listed below:

- Building design should define a base, middle and top.
- Building mass should emphasize the verticality and rhythm of the street enclosure rather than horizontality.
- Horizontal changes in different cladding materials should not be coplanar, only occurring at inside corners.
- Articulation of new buildings should complement the character of adjacent buildings in the block.

Staff provides additional discussion on the following conditional use standards:

- Standard 9 states, "When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission for comment and recommendation."
- Standard 12 states, "When applying the above standards to an application for height in excess of that allowed in the district, the Plan Commission shall consider recommendations in adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows and view; architectural quality and amenities; the relationship of the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits."

Staff's primary concerns related to the façade articulation, which consists of multiple materials, colors, and transitions. Prior to completion of this report, staff met with the applicant to discuss potential design modifications. The applicant noted they referred to several nearby buildings in the neighborhood when choosing the design elements for the proposed building. In that call, staff suggested the building elevations could be simplified with a combination of minimizing the color palette, reducing the number of material transitions, and applying a more regular pattern of window openings. These changes could help better define a base, middle and top for the building and also emphasize the verticality and rhythm of the building, more in keeping with the design guidelines.

In response, the applicant provided an updated rendering with some modifications. The lower elevation along Orchard Street now has a more regular pattern of window openings. The aluminum trellis on the eighth story was removed, which better emphasizes the top of the building. The building façade material at the main entry was replaced to match the wood-tone aluminum longboard on the upper floors. While staff appreciates these efforts and believes such modifications have improved that facade, staff question whether the design is consistent with standards 9 and 12. Staff would recommend the following, as noted in the Planning Division's recommended conditions of approval at the end of the report:

- In order to meet conditional use standards 9 and 12, the applicant shall make revisions to all of the facades to be approved administratively by the Planning Division Director. This condition is intended to simplify the facades, emphasize vertical orientation, and limit material changes occurring in the same plane. Changes *shall reflect one or more* of the following steps, or other modifications found to meet the intent of this condition:
  - Simplify the material palette by removing at least one color or material
  - Apply a more-regular pattern of window openings that are mirrored on multiple floors
  - Remove or revise the aluminum trellis feature at the third and eighth floors
  - Deemphasize the horizontal banding created by the buff brick veneer and wood-tone aluminum longboard or otherwise organize materials to create more prominent vertical articulation

## Conclusion

Staff believe that the standards for demolition permits and certified survey maps can be found met, subject to input at the public hearing and comments from reviewing agencies.

On balance, Staff believe it could be possible to find conditional use standards 9 and 12 met with modifications. Staff have recommended a condition of approval requesting that the facades be further simplified. If Plan Commission is not be able to find these (or other) standards met with Planning Division's recommended conditions, then staff would recommend the Plan Commission refer these items to the November 21, 2022 Plan Commission meeting to allow the applicant to update the building elevations or to refer the conditional use to the November 30, 2022 Urban Design Commission meeting for comments and recommendations, to return to the December 12, 2022 Plan Commission meeting.

## Recommendation

### Planning Division Recommendation (Contact Lisa McNabola, 243-0554)

The Planning Division recommends the following to the Plan Commission regarding the applications for 120-128 North Orchard Street and 1313-1314 Randall Court. All recommendations are subject to input at the public hearing and the following conditions recommended by the reviewing agencies.

- That the Plan Commission find that the approval standards for demolition permits are met and **approve** the demolition of five residential buildings at 120-128 North Orchard Street and 1313-1314 Randall Court;
- That the Plan Commission find that the approval standards for Certified Survey Maps are met and forward the CSM creating two lots at 120-128 North Orchard Street, 1313-1314 Randall Court and 1309-1311 West Dayton Street to the Common Council with a recommendation for **approval**;
- That the Plan Commission find that the approval standards for conditional uses are met and **approve** the conditional uses for a multi-family building with between 37 and 60 units, and for a building exceeding

six stories and 78 feet in height in the Traditional Residential-Urban 2 (TR-U2) District to allow an eight-story, 48-unit residential building at 120-128 North Orchard Street and 1313-1314 Randall Court.

**Recommended Conditions of Approval** Major/Non-Standard Conditions are Shaded

**Land Use Request – Demolition Permit, Conditional Uses**

**Planning Division** (Lisa McNabola, 243-0554)

1. In order to meet conditional use standards 9 and 12, the applicant shall make revisions to all of the facades to be approved administratively by the Planning Division Director. This condition is intended to simplify the facades, emphasize vertical orientation, and limit material changes occurring in the same plane. Changes *shall reflect one or more* of the following steps, or other modifications found to meet the intent of this condition:
  - Simplify the material palette by removing at least one color or material
  - Apply a more-regular pattern of window openings that are mirrored on multiple floors
  - Remove or revise the aluminum trellis feature at the third and eighth floors
  - Deemphasize the horizontal banding created by the buff brick veneer and wood-tone aluminum longboard or otherwise organize materials to create more prominent vertical articulation

**Engineering Division** (Contact Tim Troester, 267-1995)

2. The applicant proposes to connect to storm sewer in Orchard Drive. This storm sewer is not owned by the City of Madison it is UW Madison sewer. Connection cannot be made to this sewer without express written permission from the UW Board of Regents.
3. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
4. Construct sidewalk, terrace, curb & gutter and pavement to a plan as approved by City Engineer
5. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
6. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
7. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.

8. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
9. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
10. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
11. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
12. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking is adjacent to a street low point. The applicant shall provide at a minimum of one (1) foot of rise from the adjacent back of walk in the driveway before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation. The stated elevation is intended to be protective but does not guarantee a flood proof structure. The Developer/Owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service that they are comfortable with.
13. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 100-yr design storm that is current in Madison General Ordinance Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
14. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
15. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at [meberhardt@cityofmadison.com](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto:daolivares@cityofmadison.com), for approval. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City

Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.  
(POLICY)

This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.

16. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))

Rate Control Redevelopment: By design detain the 10-year post construction design storm such that the peak discharge during this event is reduced 15% compared to the peak discharge from the 10-year design storm in the existing condition of the site. Further, the volumetric discharge leaving the post development site in the 10- year storm event shall be reduced by 5% compared to the volumetric discharge from the site in an existing condition during the 10-year storm event. These required rate and volume reductions shall be completed, using green infrastructure that captures at least the first 1/2 inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first 1/2 inch of rainfall, either green or non-green infrastructure may be used.

TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

**Traffic Engineering Division** (Contact Sean Malloy, 266-5987)

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| <ol style="list-style-type: none"><li>17. Covered parking is not dimensioned and as such not reviewable at this time. The applicant should be aware this may lead to major site changes once the dimensions are provided.</li></ol> |
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18. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
19. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
20. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
21. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
22. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
23. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
24. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
25. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
26. The applicant shall provide a clearly defined 5' walkway from the front door to the public Right of Way clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
27. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Andrew Oliver, (267-1979, aoliver@cityofmadison.com) Traffic

Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.

28. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
29. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
30. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
31. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
32. Secure parking facility. This is usually done with continuous six (6) inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.
33. The applicant shall prepare a TDMP (Traffic Demand Management Plan) to be reviewed and approved by the City Traffic Engineer. MGO (28.183(6)(a)(6))
34. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

**Zoning** (Contact Jenny Kirchgatter, 266-4429)

35. The proposed multi-family dwelling will have an access and driveway shared with 1309 W Dayton St. Submit an Alteration to the Planned Development for the shared driveway and site changes proposed at 1309 W Dayton St.

36. On the plans, show the balcony setback distances from the front, side and rear property lines. Balconies may encroach up to 6 feet into the rear yard setback but may not encroach into front or side yard setback areas.

37. Section 28.185(9) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.

38. Update the useable open space exhibit to exclude areas within the front yard setback.

39. Provide electric vehicle stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 10% of the residential parking stalls (2 stalls) must be electric vehicle ready. Identify the locations of the electric vehicle ready stalls on the plans.
40. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
41. Submit details for the green roof areas.
42. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. All glass railings must be treated. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide a detail of the specific treatment product that will be used.
43. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
44. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

**Fire Department** (Contact William Sullivan, 261-9658)

45. Buildings with a floor level more than 75-ft above the lowest fire department vehicle access lane shall be classified as a high-rise building. The submitted elevations indicate 74 ft 7 inches to the average grade plane which appears to still be higher than the fire access lanes. Provide specific details that clearly demonstrate high-rise classification.

46. Provide aerial access fire lanes where buildings exceed 30-ft in height.

**Water Utility** (Contact Jeff Belshaw, 261-9835)

47. Private wells may have served the parcels associated with this project prior to municipal water service connections. The existing properties will require an internal and external survey for potential unabandoned private wells prior to proceeding with demolition. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266- 4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

48. This property is in a Wellhead Protection District–Zone (WP-27). Applicant shall provide the Madison Water Utility with confirmation that no hazardous and/or toxic materials will be stored on site, and that all proposed uses of this site comply with the City of Madison Wellhead Protection Ordinance. Any future change in use for this property will require review by the Madison Water Utility General Manager or his designated representative. Contact Jeff Belshaw at [Jbelshaw@madisonwater.org](mailto:Jbelshaw@madisonwater.org) for additional information, including a summary of the submittal requirements.

49. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility’s Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

50. A Modify Mains/Services Application Form and deposit must be submitted before modifying the public water system. Provide at least two working days’ notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility’s Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water applications. The property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

**City Engineering Division – Mapping Section** (Contact Jeffrey Quamme, 266-4097)

69. Upon approval by the UW of the proposed private storm sewer connections connecting to UW storm sewer on the far side of the road and within the Orchard St right of way, an application shall be made with City of Madison Real Estate for a privilege in streets agreement. Link as follows <http://www.cityofmadison.com/developmentcenter/landdevelopment/streetencroachment.cfm>. An approval of the development does not constitute or guarantee approval of any encroachments within a public right of way.
70. The private right of way agreement for per Doc 633282 is incorrectly shown. It is 8 feet wide and straddles the common Lot lines between Lots 6, 7, 8 and 10, Randall Court. A portion of this Easement is being restricted from Vehicular Access. This agreement shall be amended, or released and replaced with a reciprocal easement agreement that fully addresses the proposed shared pedestrian and vehicular access as proposed between this site and Lots 8 and 9 of the plat of Randall Court. Provide draft documents for review. The amendment/new agreement shall be recorded after recording the pending Certified Survey Map and prior to final site plan sign off.
71. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access and storm water drainage and management that are necessary between Lot 1 and Lot 2 of the pending Certified Survey Map to accomplish the site development as proposed. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.

54. Grant a Public Water Main Easement(s) to the City on the face of the pending Certified Survey Map for the proposed public hydrant and lead at the end of Randall Ct. Contact Jeff Quamme of Engineering Mapping ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com), 608-266-4097) for the final required easement language.
55. The address of the proposed building is 118 N Orchard St. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
56. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), 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 permit.
57. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko ([lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com)) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for apartment buildings.

The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) PRIOR to the verification submittal stage of this LNDUSE with Zoning. The final approved stamped Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall provided for additional review and approval by Engineering.

Per 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department.

For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved.

**Parks Division** (Contact Ann Freiwald, 243-2848)

58. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the Central Park-Infrastructure Impact Fee district. Please reference ID# 22037 when contacting Parks about this project.

**Forestry Division** (Contact Bradley Hofmann, 267-4908)

59. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
60. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.
61. City Forestry will issue a street tree removal permit for a 6" diameter Linden tree due to sewer lateral conflict in center frontage of N Orchard St. The Contractor shall contact City Forestry at (608)266-4816 to obtain permit. Add as a note on both the demolition and street tree plan set.
62. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.
63. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry at (608) 266-4816 prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the site, grading, utility, demolition and street tree plan sets.
64. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.

65. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.
66. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608)266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on both the site and street plan sets.
67. The Developer shall post a security deposit prior to the start of the development to be collected by City Engineering as part of the Developers Agreement. In the event that street trees are damaged during the construction process, City Forestry will draw from this deposit for damages incurred.
68. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

The following agencies reviewed the request and recommended no conditions of approval: Metro Transit

***Land Division Request***

**City Engineering Division – Mapping Section** (Contact Jeffrey Quamme, 266-4097)

69. The private right of way agreement for per Doc 633282 is incorrectly shown. It is 8 feet wide and straddles the common Lot lines between Lots 6, 7, 8 and 10, Randall Court. A portion of this Easement is being restricted from Vehicular Access. This agreement shall be amended, or released and replaced with a reciprocal easement agreement that fully addresses the proposed shared pedestrian and vehicular access as proposed between this site and Lots 8 and 9 of the plat of Randall Court. Provide draft documents for review prior to final CSM signoff. The amendment/new agreement shall be recorded after recording the pending Certified Survey Map and prior to final site plan sign off.
70. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access and storm water drainage and management that are necessary between Lot 1 and Lot 2 of this pending Certified Survey Map to accomplish the site development as proposed. The document(s) shall be executed and recorded subsequent to the CSM recording and prior to building permit issuance.

71. The portion of Lot 1 within current Lot 7, Randall Court, is subject to covenants, conditions and restrictions per Doc No. 357980. This shall be shown and noted on the CSM unless there is sound legal opinion provided stating otherwise.
  72. The CSM does not show the 15' building line as shown on the Randall Court plat. This setback is not enforced by the City of Madison. It shall be shown and noted unless the applicant can provide sound legal justification to not show the building line on the CSM. If shown on the CSM, include the following note: The "Building Lines" shown and noted on this Certified Survey Map are the "Building Lines" as shown and denoted on the plat of Randall Court. The Building Lines were not noted as a restriction on that plat as required by a public body and also the plat does not name a public body as a grantee, promisee or beneficiary. Therefore the "Building Lines" are not specifically enforceable by the City of Madison.
  73. The header on each sheet and the legal description shall be revised to correct Doc No. 166985 to 107 and include part of Lot 10 of Randall Court.
  74. Add the existing northeast lot Line of Lot 11 where the exception to Lot 10 of Randall Court exists.
  75. The tie shall be changed. The tie line is not a quarter line of a Section, it is a line from the E 1/4 to a meander corner. The true position of the NE Corner of Section 22 shall be used to determine the quarter line with a bearing and distance from the meander corner to the true corner and coordinates shown for the true corner.
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76. The portion of Lot 2 lying south of the south line of Lot 8, Blk 12 or Brooks Addn is subject to covenants, conditions and restrictions per Doc No. 353776. This shall be shown and noted on the CSM unless there is sound legal opinion provided stating otherwise.
  77. 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))
  78. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted 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.
  79. Conditions of approval noted herein are not intended to be construed as a review determining full compliance with City of Madison Ordinances and State of Wisconsin Statutes. The licensed professional preparing the land division is fully responsible for full compliance with all Ordinances and Statutes regulating this proposed land division.
  80. Add a distance between the two southerly monuments along the most westerly line of Lot 2. Also provide recorded as information for the 14' line northeast of Randall Ct, lines L2 and L1, correct the recorded as

information along the east line of Lot 1 and provide recorded as information on the dividing lines between Lots 1 and 2 that have measured lengths of 46.84' and 66.58'.

81. The graphic scale is not scaled correctly.
82. Place notes on all buildings on sheet 2 that will be demolished.
83. Provide tangent bearings for the curves as required by statute. Also provide an overall bearing and distance for the east line of Lot 2.
84. Ownership and Mortgagee information does not coincide with the title report provided. This shall be rectified prior to final sign off.
85. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), 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.
86. Submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, 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, preferably closed polylines for lot lines, shall be void of gaps and overlaps and match the final recorded plat:
  - a) Right-of-Way lines (public and private)
  - b) Lot lines
  - c) Lot numbers
  - d) Lot/Plat dimensions
  - e) Street names
  - f) Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)

NOTE: This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data for any changes subsequent to any submittal.

**Water Utility** (Contact Jeff Belshaw, 261-9835)

87. The following information shall be noted on the CSM prior to final approval: The properties are located within Wellhead Protection District—Zone (WP-27). 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.

**Engineering Division** (Contact Tim Troester, 267-1995)

88. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
89. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at 608-261-9127 (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). (POLICY)
90. The proposed parcels within this development (and/or adjacent to) are dependent on each other for overland and subsurface storm water drainage. A private Storm Sewer/Drainage Easement/Agreement for all parcels within (and/or adjacent to) this development shall be drafted, executed and recorded prior to building permit issuance.

**Office of Real Estate Services** (Contact Lance Vest, 245-5794)

91. OWNER'S CERTIFICATION

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.

92. MORTGAGEE/VENDOR CERTIFICATION

- a. 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).
- b. 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.

93. CERTIFICATE AND CONSENT REQUIREMENTS

All ownership consents and certifications for the subject lands shall conform to Wis. Stats. 236.21(2) and 236.29 by including the language ...surveyed, divided, mapped and dedicated...

94. REAL ESTATE TAXES

As of October 28, 2022, the 2021 real estate taxes are paid for the subject property.

Per 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording. This includes property tax bills for the prior year that are distributed at the beginning of the year. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off. Payment is made to:

City of Madison Treasurer  
210 Martin Luther King, Jr. Blvd.  
Madison, WI 53701

95. SPECIAL ASSESSMENTS

As of October 28, 2022, there are no 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 Madison General Ordinance Section 16.23(5)(g)1.

96. TITLE REPORT UPDATE

Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to ORES via email 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 (August 17, 2022) 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. 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.

97. ADDITIONAL REQUIREMENTS

- a. Please depict the Building Line from the plat of Randall Court.
- b. If all parties of interest agree that certain easements from prior plats or CSM's 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.

The following agencies reviewed the request and recommended no conditions of approval: Fire Department, Metro Transit, Assessor's Office, Zoning