

PLANNING DIVISION STAFF REPORT

May 20, 2024

PREPARED FOR THE PLAN COMMISSION



Project Address: 519-521 West Main Street (District 4 – Alder Verveer)
Application Type: Demolition Permit, Conditional Use, Certified Survey Map
Legistar File ID # [82937](#), [82938](#), [82975](#)
Prepared By: Colin Punt, Planning Division
Report includes comments from other City agencies, as noted.
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Fedor Novikov; The Neutral Project LLC; 25 W Main St #500; Madison, WI 53703

Owner: Vanilla 301 LLC; 25 W Main St #500; Madison, WI 53703

Requested Action: The applicant is seeking approval of a demolition permit for two existing residential buildings, a certified survey map combining two lots, and the following conditional uses:

- A multi-family dwelling greater than eight (8) dwelling units per §28.072(1) MGO
- An accessory use: general retail, service business, restaurant, coffee shop, tea house, office, professional and general per §28.082(1) MGO

Proposal Summary: The applicant is seeking approvals to demolish a two small residential buildings to construct a four-story, 30-unit residential building with small retail space on a new lot created by CSM.

Applicable Regulations & Standards: Standards for conditional use approval are found in §28.183(6) MGO. Standards of approval for demolition permits are found in §28.185(6) MGO. Standards for Certified Survey Maps are found in §16.23MGO.

Review Required By: Urban Design Commission (Alder Referral), Plan Commission, Common Council (CSM only)

Summary Recommendations: The Planning Division recommends the following to the Plan Commission regarding the applications for 519-521 West Main Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find that the standards for demolition permits are met and **approve** demolition permits for the buildings at 519 and 521 West Main Street subject to the conditions from reviewing agencies beginning on page 7;
- That the Plan Commission find that standards of approval are met and **approve** the conditional uses for the proposed buildings at 519 and 521 West Main Street subject to the conditions from reviewing agencies beginning on page 7; and
- That the Plan Commission find that the standards for land divisions are met and forward the certified survey map to Common Council with a recommendation to **approve**, subject to the conditions from reviewing agencies beginning on page 15.

Background Information

Parcel Location: The subject site, composed of two existing lots, is 12,949 square feet and located on the southeast side of West Main Street between South Bedford Street and South Bassett Street. The site is within Alder District 4 (Alder Verveer) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The two existing parcels are zoned DR2 (Downtown Residential 2). 519 West Main Street is currently occupied with a two-and-one-half-story four-unit residential building constructed in 1901. 521 West Main Street is currently occupied with a two-story two-unit residential building constructed in 1925.

Surrounding Land Uses and Zoning:

Northwest: Across West Main Street, three-story 32-unit multifamily building zoned DR2 and four-story 40-unit multifamily building zoned PD (Planned Development district);

Southwest: Three-story 36-unit multifamily building zoned PD;

Southeast: A three-story 24-unit multifamily building two-story two-unit buildings zoned DR2; and

Northeast: Three-story 19-unit multifamily building zoned DR2.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends medium residential (MR). The [Downtown Plan](#) (2012) and the [Mifflandia Plan](#) (2019) both recommend residential with four-story maximum height limit.

Zoning Summary: The subject property is zoned DR2 (Downtown Residential 2 District):

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000 sq. ft.	13,209 sq. ft.
Lot Width	Residential buildings: 30' Non-residential and mixed-use buildings: 40'	99.39'
Front Yard Setback	10'	15'1"
Side Yard Setback	5'	5' southwest 9'1" northeast
Rear Yard Setback	Lesser of 20% lot depth or 20'	20'
Usable Open Space	20 sq. ft. per bedroom (860 sq. ft.)	Adequate
Maximum Lot Coverage	80%	<80% (Zoning comment 12)
Minimum Building Height	2 stories	4 stories/50'
Maximum Building Height: See Downtown Height Map	4 stories/ 60'	4 stories/50'
Stepbacks: See Downtown Stepback Map	None	None

Site Design	Required	Proposed
Number Parking Stalls	No minimum required: Central Area	18 garage
Electric Vehicle Stalls	EV ready (2)	6 EV ready 3 EV installed
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 (31) 1 guest space per 10 units (3) Accessory general retail, service business, office: 1 per 2,000 sq. ft. floor area (2 minimum) (36 total)	31 garage 5 surface (36 total) (Zoning comments 10 & 13)
Landscaping and Screening	Yes	Yes

Lighting	Yes	Yes
Building Form and Design	Yes	Large multi-family building (Zoning comments 14-16)

Other Critical Zoning Items	Barrier Free (ILHR 69), Utility Easements
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Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: The property is not located within a mapped environmental corridor.

Public Utilities and Services: The site is served by a full range of urban services.

Project Description

The applicant is seeking approval of a demolition permit for the two existing small residential buildings and conditional uses to construct a four-story 30-unit residential building on a lot to be created by CSM.

The [demolition photos](#) submitted by the applicant show two older buildings that appear to have had some updates over the years, but not recently. There appears to be standard wear, but no significant structural issues. Staff have not inspected the structures.

The 30 dwelling units are comprised of 11 studios, eight one-bedroom units, nine two-bedroom units, and two three-bedroom units. The proposed building also includes an 850-square foot accessory retail space accessible from the front entry vestibule. The submitted letter of intent suggests the retail space will likely be occupied by cafe, bookstore, professional office, or other similar use. Intended hours are approximately 8 a.m. until no later than 9 p.m. Raised patio near front entrance and the commercial space. A multi-level front plaza with seating areas and access to front entrance is situated at the western corner of the site. Brick pavers are coordinated with brick wall colors. Switchback ADA ramping up to front plaza upper level and building entrance are located at the easternmost front corner of the lot. The platform between the ramps is adjacent to the sidewalk and the provided plans indicate the brick fence and ramp railing will be 4 feet above the sidewalk level.

Brick cladding on all four facades, which changes to the brick colors and courses at different portions of the building. Larger, redder brick on the first floor, patio areas, and ground-level walls. Smaller, more cream-colored brick on upper levels. According to the materials submitted to Urban Design Commission, in addition to the primarily brick facades, materials include wood panels around the windows, metal railings, wood fences, and the anodized aluminum overhead garage door. A perforated venting design to the brickwork above the garage door is a recently-added design element.

On-site parking is located under the building and accessed via a driveway onto West Main Street. There are 18 underground vehicle parking spaces and 31 structured indoor bicycle parking spaces in the underbuilding parking structure and five short-term outdoor bicycle parking spaces. The letter of intent also indicates that car sharing and bike sharing will also be provided. One vehicle parking space and five bicycle parking spaces are reserved for car and bike sharing.

From the low point along the front lot line, the building is 50 feet tall, approximately 12 feet taller than the multifamily building to the northeast and 8 feet taller than the multifamily building to the southwest, but 10 feet shorter than the maximum height allowed. The first floor of the building is set at the grade of the rear of the site, which is four feet higher than the front of the site. As such, stairs along the southwest lot line and ADA-compliant accessibility ramps along the northeast lot line are proposed. A brick fence wall, converting to wood further back from the street, is shown separating the subject site from the multifamily building to the southwest. Because of

the elevation of the proposed building, which is higher than the site to the southwest, the brick fence wall increases from four feet high at the sidewalk to seven feet above the sidewalk at the top of the steps along the building's southwest faced (approximately 27 feet behind the property line). From that point back, a perforated wood fence atop a shorter brick wall is approximately four feet above the grade of the rear portion of the 519-521 West Main Street site, but 9 feet above the property to the southwest.

The landscaping shown on the plans includes raised planter beds located along all four facades of the building, including along the street-facing facade flanking the vehicle driveway and patio space. Proposed plantings include several ornamental trees, deciduous and evergreen shrubs, ornamental grasses, and a variety of perennials and groundcovers. A variety of plantings also planned for the 3,500-square foot green roof planted in sedum mats. The two existing street trees in front of the site and an existing 32" DBH maple at the rear of the site are proposed to be preserved. A small artificial turf pet area is located at the western corner of the lot. Bench seating, tables, and grilling area are also located behind the building.

The letter of intent indicates the design is compliant with PHIUS 2021 passive house guidelines, but the applicant has not indicated intent to apply for PHIUS certification.

According to the letter of intent, the applicant intends to start construction in fall 2024 with completion by fall 2025.

Analysis

This request is subject to the standards for demolition permits, conditional uses, and land divisions. This section begins with a summary of adopted plan recommendations, demolition permit standards, and conditional use standards, which includes a description of Urban Design Commission findings, and finally a review of the land division standards.

Consistency with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends medium residential (MR) for the site. The MR category can include a variety of a housing types, including rowhouses, small multifamily buildings, and large multifamily buildings, generally at residential densities up to 90 dwelling units per acre and heights of up to five stories. The [Downtown Plan](#) (2012) and the [Mifflandia Plan](#) (2019) both recommend predominantly residential land uses with four-story maximum height limits. This site is not subject to specific setback or stepback recommendations in either plan. Staff believes the proposal can be found to be consistent with the adopted plans.

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 approval of the 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) MGO 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 the following comments regarding standard 4, *"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 April 15, 2024 meeting, the Landmarks Commission found that the existing building at 521 West Main Street has no historic value. At that same meeting, the Landmarks Commission found that the existing building at 519 West Main Street has historic value as part of the vernacular context of downtown Madison, but that the structure itself is not historically or architecturally significant. When giving careful consideration to the report of the Landmarks Commission, Staff believes that the Plan Commission can find the applicable standards met and approve the requested demolition permits.

Conditional Use Standards

The applicant is requesting approval of conditional uses for a multi-family dwelling with greater than eight (8) dwelling units and accessory general retail, service business, coffee shop, or office within the DR2 district to construct the proposed development. In regard to conditional use approval standards, 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 §28.183(6) MGO are met. Staff advises the Plan Commission that in evaluating the conditional use standards, 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.

Prior to discussion of the applicable conditional use standards of approval, Staff believes it is important to note the changes the applicant has made to the originally proposed plans in response to neighborhood and UDC comments. The development team has met numerous times with the city staff, Alder Verveer, and the Bassett Neighborhood Association. The development team has incorporated the feedback and proposal from these meetings in the project, which is seen in the [revised plans](#) available on the Legislative Information Center. Among the comments and discussion points the applicant has addressed in the revised plans, and which are reflected in the Planning Division’s recommended conditions of approval include:

- Narrowing the garage entrance in order to both reduce its visual impact on the street and preserve the existing street tree in front of 521 West Main Street from removal;
- Changes to the height and composition of the wall and fence on southwestern lot line; and
- Changes to the accessibility ramp at the northern corner of the site, including minimizing the height of the brick walls along the sidewalk and addition of metal railing in walls’ place.

Staff’s raises a question regarding this application as it relates to conditional use approval standard 3, which states “The uses, values and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner,” specifically related to the retaining wall and screening along the southwestern property line. As noted above, the first floor of the building is set at the grade of the rear of the site, which is four feet higher than the front of the site. As such, stairs and a retaining wall along the southwest lot line are proposed. A wood fence screening the walkway along the side of the building is set atop the retaining wall adjacent to the property line with the neighboring multifamily building to the southwest. Because of the elevation of the proposed building, which is higher than the site to the southwest, the combination decorative wood fence atop a brick wall is approximately four feet above the grade of the rear portion of the 519-521 West Main Street site, but approximately 9 feet above the property to the southwest. Staff recommends the fence be lowered to 42 inches, the minimum required building code, which would bring the total height measured from the neighboring site to approximately 8 feet. Further, staff recommends that instead of a short brick wall with wood fence atop, that the entire height of the wall (42 inches) above the walkway from the stairs near the street back to the raised planter bed be the perforated wood fence similar to that shown in the renderings accompanying the revised plans. The wood fence should continue at the same elevation back from the start of the raised planter bed to the rear yard. Similarly, brick walls along the other side lot line and rear lot line should be minimized and replaced

to the greatest extent possible by a similar wood fence or a metal decorative fence or railing, as is shown in the revised plans at the location of the accessibility ramp.

Staff also provides the following comments regarding Condition Use approval standard 8: “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 (UDC) for comment and recommendation.” The proposal was referred to the UDC at the request of the area alderperson. At its meeting of May 8, 2024, the Urban Design Commission made an advisory recommendation to the Plan Commission to approve the building with the following conditions and comments:

- The garage door shall be recessed at least 2-3’ from the face of the front facade and a header shall be integrated above the door for the garage ventilation to match the window height. The garage door shall have translucent openings.
- The accessibility ramp shall be better integrated into the plaza space.
- The design of the commercial space shall be refined to incorporate more glazing.
- The location of the front door shall be such that is visible and oriented towards the street.
- The applicant shall confirm that the vision triangle requirements are being met.
- The Commission has concerns related to maintaining horizontal brick pavers. Consideration should be given to utilizing a permeable paver system and/or utilizing concrete in smaller areas such as landings and the accessible ramp.

Please see Legislative [ID 83099](#) for more information about the UDC review and action.

Several of the listed conditions and comments have already been integrated into the [revised plans](#) as provided by the applicant. In order to better find conditional use standard of approval 8 to be found, staff has included and clarified the suggested conditions from the UDC in the recommended conditions of approval found on page 7.

Land Division

The applicant has submitted a certified survey map to create one lot from two existing lots. Staff believe that all applicable standards for land divisions can be found met.

Public Comment

At time of writing, Staff has received written comment from the public, including a letter from the neighborhood association, all of which is available with the legislative file as part of this request.

Conclusion

Staff believes that the standards of approval for demolition permits and land divisions can be found to be met.

When considering the adopted plan recommendations, the scale of the proposed building and the proposed uses, surrounding land uses, recommended conditions of approval, and recommendation of the UDC, staff believe all applicable conditional use standards of approval can be found met.

Recommendation

Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends the following to the Plan Commission regarding the applications for 519-521 West Main Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find that the standards for demolition permits are met and **approve** demolition permits for the buildings at 519 and 521 West Main Street subject to the conditions from reviewing agencies beginning below;
- That the Plan Commission find that standards of approval are met and **approve** the conditional uses for the proposed buildings at 519 and 521 West Main Street subject to the conditions from reviewing agencies beginning below; and
- That the Plan Commission find that the standards for land divisions are met and forward the certified survey map to Common Council with a recommendation to **approve**, subject to the conditions from reviewing agencies beginning on page 15.

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

Land Use (Conditional Use & Demolition Permit)

Planning Division (Contact Colin Punt, 243-0455)

1. The applicant has submitted revised plans dated May 14, 2024. These plans have not been reviewed by all reviewing agencies and may be subject to additional review for ordinance adherence.
2. Per discussions with Planning and Traffic Engineering staff, and upon the recommendation of the Urban Design Commission, the width of the garage overhead door shall be narrowed, but not to a width less than 12 feet.
3. As recommended by the Urban Design Commission, the garage door shall be recessed at least 2 feet from the face of the front facade and a header shall be integrated above the door for the garage ventilation to match the window height, similar to the perforated brickwork as shown in the revised plans. It is strongly suggested that the garage door have translucent openings and an integrated person door.
4. As recommended by the Urban Design Commission, the applicant shall better integrate the accessibility ramp into the plaza and minimize its visual impact on the adjacent sidewalk by minimizing the height of the brick walls along the sidewalk and around the ramps and by add metal railings in the place of the brick walls.
5. As recommended by the Urban Design Commission, the primary building entrance shall be better oriented or emphasized to be clearly visible and identifiable from the street.
6. As recommended by the Urban Design Commission, the applicant shall increase the glazing for the first-floor retail space.
7. Remove the brick half-wall adjacent to the elevated walkway between the southwest building facade and the property line and replace with a 42-inch decorative wood fence as shown in the submitted revised plans.

8. Brick walls along the northeast and southeast lot lines should be minimized to the greatest extent possible and replaced with decorative wood or metal fencing.

9. No HVAC “wall-pack” penetrations/louvers are shown on the street-facing facades. Unless specifically approved by the Plan Commission, the addition of wall packs on outward-facing walls is not included in this approval and will require approval of an alteration to this conditional use should they be proposed at a later time.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

10. The applicant proposes that more than 25% of long-term bicycle parking stalls (19 stalls) will be wall-mounted stalls. A bicycle parking adjustment will be required per Section 28.141(5). Submit an application for a bicycle parking adjustment with the final plan submittal including information to support the request for an adjustment.

11. Section 28.185(9)(b) 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)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.

12. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 80%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.

13. Bicycle parking for the residential dwelling units shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and shall be designated as short-term or long-term bicycle parking. A minimum of 31 resident bicycle stalls are required plus a minimum of 3 short-term guest stalls. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. Show the width of the access aisles on the parking level floor plan. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area.

14. Verify the width and height of the proposed garage door. Parking garage openings visible from the sidewalk shall have a clear maximum height of sixteen (16) feet and a maximum width of twenty-two (22) feet. Garage doors or gates shall be located a minimum of ten (10) feet from the front property line.

15. Provide details showing that the building façades meet the door and window opening requirements of Section 28.071(3)(e). For street-facing facades with ground story non-residential uses, the ground story door and window openings shall comprise a minimum of fifty percent (50%) of the facade area. For ground story residential uses, the ground story openings shall comprise a minimum of fifteen percent (15%) of the facade area. Upper story openings shall comprise a minimum of fifteen percent (15%) of the facade area per story.

16. 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. 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.

17. 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.
18. 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.

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

19. The applicant shall connect to or extend public storm sewer directly to the curb of W Main. No public storm sewer system is available, regardless all discharge shall be to the public ROW, no discharge to the adjacent private property.
20. 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)
21. Construct sidewalk, terrace, curb and gutter and pavement to a plan as approved by City Engineer
22. 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))
23. Obtain a permit to Excavate in the Right-of-Way for the connection and/or installation of utilities required to serve this project and shall comply with all the conditions of the permit. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO 10.05(6)), MGO 35.02(4)(c)(2)), and MGO 37.05(7)
24. 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))
25. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
26. 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, or Daniel Olivares (east) at 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>

City Engineering Division – Mapping Section (Contact Julius Smith, 264-9276)

27. Coordinate and request from the utility companies serving this area the easements required to serve this development. Note there are existing poles, wires and underground utilities, such as fiber optic lines shown running along the rear parcel line that may have existing rights. Work with the utility companies to address any needs for these lines and formalizing any rights they may have.
28. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management that are necessary to accomplish the land division or site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance. There is an existing electrical service that runs from the transformer on site to the adjacent property on Lot 7 and 8 grant a either a private or public utility easement for this line.
29. Owner/Developer/Contractor are responsible to obtain any necessary agreements/easements/permissions that maybe required accomplish site development with adjoining property owners. Site plan shows railing lying directly adjacent to and on the existing building face to the Northeast if these items are to directly adhere to the adjacent building an agreement will be needed to address such, like a party wall provide this agreement and record prior to final signoff. Additionally Owner/Developer/Contractor are responsible for any disturbances to the adjacent parcels due size of the structure coordinate any agreements/easements/permissions that maybe required for construction.
30. Confirm the approximate 1 surplus in the rear parcel boundary shown for Lot 6 with the Certified Survey Map. See note in CSM conditions.
31. The proposed new building crosses an underlying platted lot line. Record the concurrent CSM to dissolve underlying lot lines to comply with fire codes, City Ordinances and City Policies. The CSM shall be approved by the City, recorded with the Dane County Register of Deeds and new Tax Parcel information available prior to issuance of a building permit or early start permit.
32. The address of the proposed building is 517 W Main 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.
33. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (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.

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

34. 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.
35. 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.
36. 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.
37. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
38. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
39. 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.
40. 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.
41. All parking ramps as the approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
42. 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.

43. 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.
44. "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.
45. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
46. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
47. Applicant shall submit for review a Commercial Delivery Plan. This plan will include times, vehicle size, use of loading zones and all related turning movements.

Fire Department (Contact Matt Hamilton, 266-4457)

48. Ensure that the vertical openings connecting the floors adjacent to each stairwell meet the requirements for separation in accordance with IBC 712
49. Provide fire apparatus access as required by IFC 503 2021 edition, MGO 34.503. If aerial access will not be able to be met via standard fire lane options, reach out to Matt Hamilton with MFD to discuss possible equivalencies.

Parks Division (Contact Ann Freiwald, 243-2848)

50. 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# 24022 when contacting Parks about this project.

Forestry Section (Contact Brad Hoffman, 267-4908)

51. 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.
52. 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.

53. 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.
54. 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.
55. 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.
56. 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.
57. 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.
58. The Developer shall submit a Street Tree Report performed by International Society of Arboriculture Certified Arborist for City Forestry's review of project. This report shall identify all street trees on proposed project site, species type, canopy spread, tree condition, proposed tree removals, the impacts of proposed construction, and any requested pruning.
59. 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.

Water Utility (Contact Jeff Belshaw, 261-9835)

60. 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.

61. 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.

Metro Transit (Contact Tim Sobota, 261-4289)

62. Metro Transit operates daily all-day transit service along South Broom Street and South Bassett Street near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays). Additional daily all-day transit service operates along West Washington Avenue at least every 60 minutes (every 30 minutes or less during the day on weekdays).
63. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 144 Weekday & 51 Weekend. Please contact Metro Transit if additional analysis would be of interest.

Parking Utility (Contact Trent Schultz, 246-5806)

64. The applicant shall receive final approval of a Transportation Demand Management (TDM) Plan, occurring after Plan Commission and Common Council approval of the project. Work with staff to finalize requested clarifications on the TDM Plan. TDM Plan review fees will be required as part of final site plan review sign off.

The City Assessor has reviewed this request and has recommended no conditions of approval.

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

Certified Survey Map

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

1. 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)
2. Construct sidewalk, terrace, curb and gutter and pavement to a plan as approved by City Engineer
3. 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))
4. 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)

City Engineering Division – Mapping Section (Contact Julius Smith, 264-9276)

5. Update street name to W. Main Street. West is abbreviated as it is a pre-directional.
6. 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 plat.
7. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management that are necessary to accomplish the land division or site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance. There is an existing electrical service that runs from the transformer on site to the adjacent property on Lot 7 and 8 grant a either a private or public utility easement for this line.
8. Provide document releasing or show the driveway and ingress/egress easement per Document No. 0837301 on the face of the map. The new development will cover this Easement and it should be released.
9. Note that is CSM is subject to the terms and conditions listed in recorded document No. 1116863.
10. List the Document No. of Pritchette Plat the Capital of Wisconsin Document No. 102 in both the caption at the top of each sheet and the written legal description.
11. Note that the "Recorded as" depth of all lots in in block 31 are (132') update all refences as such. also note that the northeast line of lot 5 should be noted as recorded to bear/ or recorded as N45^W

12. Show the distances between all of the found monuments along southeasterly line of the parcel as was done on the survey provided with the associated development.
13. Per the land division application supply the 60 year title search as required. The requirement specifically notes that Title commitments are not acceptable. Additional comments may need to be addressed as needed when the proper report is provided.
14. 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 any required U.S. public land survey monument record provided to the County Surveyor's Office, or, in instances where a public the monuments and witness ties area recovered under A-E 7.08(1g), the Surveyor shall provide to the City of Madison monument condition reports (with current tie sheet attached) for all Public Land Survey monuments, including center of sections of record, used in this survey, to Julius Smith (JSmith4@cityofmadison.com) of City Engineering, Land Information.
15. 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 Plat or 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 (web address <https://www.countyofdane.com/PLANDEV/records/surveyor.aspx>) for current tie sheets and control data that has been provided by the City of Madison.
16. 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 Julius Smith (jsmith4@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.
17. Revise the second segment of the lead-in line on the face of the map as 370.64' to match that as listed in the legal description to 331.39' along W. Main Street, also note this as recorded as 330' per the Pritchette Plat
18. Per 236.20(2)(b) list the pounds per lineal foot for the set monuments.
19. while not being fully discouraged it is not fully understood why the monument is being set at the mid point along the Southeasterly line of Lot 6. Also if this is the case list the dimensions to the set monument.
20. Please verify the Block breakdown of Block 31 it is unclear why Lot 6 's rear line shows a over a 1' surplus while showing .17' deficit in the adjacent lot. None of the irons found appear to be original irons and the iron held along the right-of-way of lot 4 and W Main Street, can not be found to mark an official boundary of record in capacity. Historical information on the Lot block and its overruns can be found at the Dane County Surveyors Office / Dane County Land Records Office. A prior survey on Lot 6 showed this rear line to once measure 66.2' Contact Julius Smith (Jsmith4@cityofmadison.com) for further information.
21. In the second to last line of the Legal Description, correct the line to read THE (SOUTH) CORNER OF SAID LOT 6:
22. There are currently two different Owners of record for the two separate parcels that make up the property. Villacrez and 521 West Main Street LLC, supply owners certificates for both parties or provide new title work

or documents showing transfer of ownership to Vanilla 301 LLC prior to CSM Sign off.

23. Submit to Julius Smith, 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.

Office of Real Estate Services (Contact Melissa Hermann, 264-9297)

24. 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.

25. 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).

26. 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.

27. 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....

28. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest please include a Certificate of Consent for the option holder and have it executed prior to CSM sign-off, if said ownership interest meets the criteria set forth by Wis. Stat. Sec. 236.34 and Sec. 236.21(2)(a).

29. 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.

30. Madison Common Council Certificate: This certificate is required when dedication of land and the conveyance of rights in land are required. For parcels located within the City of Madison, a Madison Common Council Certificate shall appear as follows:

Resolved that this certified survey map located in the City of Madison was hereby approved by Enactment Number _____, File ID Number _____, adopted on the ____ day of _____, 20__, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this ____ day of _____, 2024

Maribeth L. Witzel-Behl, City Clerk
City of Madison, Dane County Wisconsin

31. City of Madison Plan Commission Certificate: Pursuant to Madison City Ordinance Section 16.23(7)(d)3 and Wis. Stats. 236.21(2)(a), all CSM's that are subject to the review and approval of the City of Madison shall contain the following certificate of approval:

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

By: _____ Date: _____
Matthew Wachter, Secretary of the Plan Commission

32. Register of Deeds Certificate: Please include a space for the Register to hand write the recording info on the date of recording, to appear similar to the following:

Office of the Register of Deeds
Dane County, Wisconsin
Received for recording on _____, 20__ at ____ o'clock__ M, and
recorded in Volume ____ of CSMs on page(s)_____, Document No. _____.

Kristi Chlebowski, Register of Deeds

33. As of May 10, 2024, the real estate taxes due for 521 W. Main St are \$3,647.32. 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

34. As of May 10, 2024, there are special assessments due on 519 W. Main St of \$753.57. 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. 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.

35. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to ORES via email to Melissa Hermann (mhermann@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 (xx-xx-xx) 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.
36. Depict, name, and identify by document number all existing easements cited in record title and the updated title report.
37. Include a complete and accurate legal description of the lands that are to be included in the proposed CSM. The legal description shall be reconciled with the legal description of said lands in record title.
38. 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.
39. Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.
40. 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.
41. Liens or judgments levied against the lands within the CSM boundary shall be satisfied, with proof of satisfaction provided prior to CSM approval sign-off.
42. Create notes that define the purpose of and the ownership of (whether public or private) all outlots. The note for an outlot dedicated to the public shall say: "Dedicated to the public for _____ purposes."

The Planning Division, Traffic Engineering Division, Fire Department, Parks Division, Forestry Section, Water Utility, Metro Transit, City Assessor, and Parking Utility have reviewed this request and have recommended no conditions of approval.