

PLANNING DIVISION STAFF REPORT

November 7, 2022



PREPARED FOR THE PLAN COMMISSION

Project Address: 2405 Cypress Way, 825-837 Hughes Place, and 810 West Badger Road (District 14 – Alder Carter)

Application Type: Zoning Map Amendment, Demolition Permit, Certified Survey Map

Legistar File ID # [73820](#), [73825](#), [74082](#)

Prepared By: Colin Punt, Planning Division
Report includes comments from other City agencies, as noted.

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Colleen O'Meara; EUA; 309 W Johnson St #202; Madison, WI 53703

Property Owner: Dan Johns; City of Madison Economic Development Division; 215 MLK Jr Blvd; Madison, WI 53703

Requested Action: The applicant is seeking approval of a zoning map amendment to change the zoning at 2405 Cypress Way, 825-837 Hughes Place, and 810 West Badger Road from SR-V1 (Suburban Residential-Varied 1) District and CC-T (Commercial Corridor - Transitional) District to CC-T; demolition of the building at 833 Hughes Place; and approval of a two-lot certified survey map.

Proposal Summary: The applicant is seeking approval to demolish a daycare center building at 833 Hughes Place, approval to combine several parcels and execute a land swap with the City of Madison via a CSM, and approval to rezone the resulting buildable lot from SR-V1 and CC-T to CC-T, all to construct a two-story community center.

Applicable Regulations & Standards: Standards of approval for demolition permits are found in §28.185(6) M.G.O. Standards for zoning map amendments are found in §28.182(6) M.G.O. Standards for certified survey maps are found in §16.23(5) M.G.O.

Review Required By: Plan Commission, Common Council

Summary Recommendations: The Planning Division recommends the following to the Plan Commission regarding the applications for 2405 Cypress Way, 825-837 Hughes Place, and 810 West Badger Road. 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 to approve demolition of the building at 833 Hughes Place;
- That the Plan Commission forward the zoning map amendment from SR-V1 and CC-T to CC-T to Common Council with a recommendation to approve, subject to the conditions from reviewing agencies beginning on page 5;
- That the Plan Commission forward the certified survey map to Common Council with a recommendation to approve, subject to the conditions from reviewing agencies beginning on page 12;

Background Information

Parcel Location: The primary subject site proposed to be created by CSM is 1.17 acres and located at the southeast quadrant of the intersection of Cypress Way and Hughes Place. The site is within Alder District 14 (Alder Carter)

and the Madison Metropolitan School District. A second lot to be created by CSM is 2.07 acres and extends through the block from Hughes Place to West Badger Road.

Existing Conditions and Land Use: The primary subject site (Lot 1) is zoned SR-V1 (Suburban Residential-Varied 1) and is currently partially occupied by a 3,840-square foot, one-story building used as a daycare center originally constructed in 1960. Other portions of the site are vacant lots held by the City of Madison landbanking program and a parking lot currently used by the Madison Police Department.

Surrounding Land Uses and Zoning:

North: Across Hughes Place, a three-building 72-unit apartment complex zoned SR-V2 and a single-family residence zoned SR-V1;

West: Across Cypress Way, the Cypress Spray Park, zoned SR-V1;

South: A 50-unit CDA-owned senior apartment building zoned SR-V2; and

East: A Madison police station, proposed to be zoned CC-T.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Medium Residential (MR) for the site. The [South Madison Plan](#) (2022) recommends a change from MR to Community Mixed Use (CMU).

Zoning Summary: The subject property is proposed to be zoned CC-T (Commercial Corridor - Transitional District):

Requirements	Required	Proposed
Lot Area (sq. ft.)	None	51,065
Lot Width	None	141 ft
Front Yard Setback	5 ft	13.8 ft
Max. Front Yard Setback	25 ft	13.8 ft
Side Yard Setback	5 ft	10 ft, 12.3 ft
Rear Yard Setback	20 ft	32.5 ft
Maximum Lot Coverage	85%	75.7%
Maximum Building Height	5 stories/78 ft	2 stories

Site Design	Required	Proposed
Number Parking Stalls	No minimum	53
Accessible Stalls	3	3
Loading	No	No
Number Bike Parking Stalls	21	24 (2.)
Landscaping	Yes	Yes (1.)
Lighting	No	Yes
Building Forms	Yes	Civic or Institutional

Other Critical Zoning Items	Utility Easements
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Table Prepared by Jacob Moskowitz, 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 a daycare center building at 833 Hughes Place, a Certified Survey Map to create two lots from five existing parcels, a zoning map amendment to change the zoning at of one of the new lots from SR-V1 (Suburban Residential-Varied 1) District to CC-T (Commercial Corridor - Transitional) District, and several conditional uses to construct a two-story community center.

The [demolition photos](#) submitted by the applicant show a building that appears to be older, but staff is unaware of any structural deficiencies in the building.

Following demolition, the applicant intends to build a two-story community facility building. The building will include classrooms, flex spaces, office and conference spaces, and a kitchen. The L-shaped building has wings along Cypress Way and Hughes Place and is oriented around an outdoor plaza space intended to be used by Centro Hispano for its events. The plaza is shown to include a fountain, permeable pavers, tree grates, precast concrete seat walls, and catenary lights supported by posts around the perimeter. Landscaping includes trees in the plaza space and parking lot islands, turf grass lawn space, a bioretention mix in the stormwater management facility, distributed ornamental plantings, and stone mulch beds.

The primary building entrance is located along Cypress Way. The entrance features an aluminum and glass curtain wall system with an aluminum screen and framing over the upper portion. The primary overall facade material is a cream-gray modular brick. The upper floors of the Cypress Way facade and the interior courtyard-facing facade are also clad with a rust-orange metal panel. The metal panel acts as an accent material on other facades. The courtyard facade also features a second-floor balcony on one wing, and the same aluminum screen and framing system from the Cypress Way facade on the other courtyard wing.

All vehicle parking is accessed from a driveway on Hughes Place. The underground parking entrance located at northeast corner of the building for 23 vehicles. An additional 32 surface parking stalls in a lot centrally located on the block is southeast of the outdoor plaza. Additionally, plans show eight indoor bicycle parking stalls and 16 outdoor bicycle parking stalls.

According to the letter of intent, the applicant intends to start construction in January 2023 with completion by the end of 2023.

Analysis & Conclusion

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

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Medium Residential (MR) for the site. The [South Madison Plan](#) (2022) recommends a change from MR to Community Mixed Use (CMU). The CMU category includes existing and planned areas supporting an intensive mix of residential, commercial, and civic uses serving residents and visitors from the surrounding area and the community as a whole.

Zoning Map Amendment Standards

The Zoning Map Amendment standards, found in 28.182(6), M.G.O. state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety, and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan." As described above, with the recommendation of the South Madison Plan to change the land use recommendation of the Comprehensive Plan to CMU, the request and its uses can be found to be generally consistent with the land use recommendations for this area in the Comprehensive Plan.

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 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 August 15, 2022 meeting, the Landmarks Commission found that the existing building at 833 Hughes Place has no known historical value. Staff believes that all other applicable demolition permit standards of approval can be found met.

Other Land Use Considerations

No conditional use approvals are required to for this request. The applicant's letter of intent requests the Plan Commission waive the district boundary screening requirements of the CC-T district along the southern parcel border with the Burr Oaks Senior Apartments. According to 28.142(8), the Plan Commission may modify the requirements for screening along district boundaries. However, as no conditional use is being requested, the Plan Commission cannot modify these requirements.

The submitted exterior perspectives of the proposed building include both signage and other words expressing phrases in several languages. Signage approvals are not granted by the Plan Commission. Signage permits are issued by the Zoning Section. A signage package will be reviewed for compliance with Chapter 31 of the Madison General Ordinances. Some of the wording shown in the submitted renderings that do not specifically identify Centro Hispano may be considered to be "artwork" in the manner murals are reviewed.

Land Division

The applicant has submitted a certified survey map to create two lots from five existing lots and execute a land swap between Centro Hispano and the City of Madison. Staff believe that all applicable standards for land divisions can be found met.

Conclusion

Staff believes that the proposed zoning map amendment from SR-V1 and CC-T to CC-T is consistent with the recommendations in the South Madison Plan and Comprehensive Plan. Further, staff believes that the standards of approval for demolition permits and the standards for land divisions can be found to be met.

At time of writing, Staff is unaware of any public comment regarding the proposal.

Recommendation

Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends the following to the Plan Commission regarding the applications for 2405 Cypress Way, 825-837 Hughes Place, and 810 West Badger Road. 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 to approve demolition of the building at 833 Hughes Place;
- That the Plan Commission forward the zoning map amendment from SR-V1 and CC-T to CC-T to Common Council with a recommendation to approve, subject to the conditions from reviewing agencies below;
- That the Plan Commission forward the certified survey map to Common Council with a recommendation to approve, subject to the conditions from reviewing agencies beginning on page 12;

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

Land Use Request – Zoning Map Amendment & Demolition Permit

Zoning Administrator (Contact Jacob Moskowitz, 266-4560)

1. 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. Provide adequate development frontage landscaping per section 28.142(5) Development Frontage Landscaping. Landscaping and/or ornamental fencing shall be provided between buildings or parking areas and the adjacent street(s), except where buildings are placed at the sidewalk. Note that landscaping must be installed on the private property.
2. Submit a detail showing the model of bike rack to be installed. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area.
3. Screening is required adjacent the Zoning district boundary along the south property lines. Screening shall be provided along side and rear property boundaries between commercial/ mixed-use districts and residential districts. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between six (6) and eight (8) feet in height. Submit a detail of the existing screening fence with the final plans.
4. Provide specifications of the bird-safe glass treatment to be used.
5. Provide details showing that the primary street façade meets the door and window opening requirements of Section 28.060(2)(d). For nonresidential uses at ground floor level, windows and doors or other openings shall

comprise at least sixty percent (60%) of the length and at least forty percent (40%) of the area of the ground floor of the primary street facade. At least fifty percent (50%) of windows on the primary street facade shall have the lower sill within three (3) feet of grade.

6. 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.
7. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
8. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
9. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.

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

10. The applicant shall connect to or extend public storm sewer connecting directly to a public storm structure that is either in the public sidewalk or terrace area, or inlet at the curb on the side of the street, adjacent to the development. Any storm lateral extension crossing any lanes of traffic or running longitudinally within a public street right of way for over 20ft, in order to connect to the public system, shall be considered a private storm sewer lateral and will require an approved and recorded privilege in streets agreement. (POLICY)
11. Obtain a permit to Excavate in the Right-of-Way for completing the improvements in the public Right-of-Way. The permit application is available on the City Engineering Division website at <http://www.cityofmadison.com/engineering/Permits.cfm>. As a condition of the permit a deposit to cover estimated City expenses will be required.
12. 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))
13. 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))
14. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
15. 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.
16. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for

agreement specific details and requirements.

17. 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.
18. 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)
19. 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.
20. 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.
21. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. 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 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.
22. 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>.
This site will have a mix of new and redevelopment requirements noted below.
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 New Development: Detain the 2, 5, 10, 100, & 200 - year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.

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.

Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.

TSS New Development: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

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.

23. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

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

24. Prepare a description and exhibit for the release of the 5' wide utility Easement Per the First Addition to Burr Oaks, that will conflict with the proposed development. This shall be released prior to any construction. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) to coordinate the Real Estate project, and associated information and fees required.

25. 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 forthcoming CSM.
26. Identify on the plans the lot and block numbers of recorded Certified Survey Map or Plat.
27. Provide a full and complete legal description of the site or property being subjected to this application on the site plan.
28. The proposed new building crosses an underlying platted lot line. Prepare a Certified Survey Map (CSM) and submit to the Planning Unit 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 or early start permit.
29. The address of the proposed building is 2403 Cypress Way. 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.

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

30. 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.
31. 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.
32. 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.
33. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
34. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
35. 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.
36. 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.
37. 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.
38. 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.
39. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and

gutter and noted on the plan.

40. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
41. 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.

Forestry Section (Contact Brandon Sly, 266-4816)

42. 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.
43. 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.
44. City Forestry will issue a street tree removal permit for (X) tree(s) (dbh) diameter (variety) tree due to (reason) at (location). 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.
45. 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.
46. 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.
47. 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.
48. 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.

49. 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.
50. The Developer shall submit a Street Tree Report performed by International Society of Arboriculture Certified Arborist prior to the Plan Commission meeting 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.
51. 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.
52. 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.
53. Applicant shall work with City Forestry and Engineering during the right of way design process to address street tree and utility conflicts. Any street tree removals due to utility improvements within the right of way shall be reviewed and approved by the Board of Public Works. Any approval of Privilege in Streets Agreements shall be reviewed by City Forestry for street tree impacts.

Water Utility (Contact Jeff Belshaw, 261-9835)

54. 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.

The Planning Division, Fire Department, Parks Division, and Metro Transit have reviewed this request and has recommended no conditions of approval.

Certified Survey Map

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

1. 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))
2. 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)
3. 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.

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

4. Prepare a description and exhibit for the release of the 5' wide utility Easement Per the First Addition to Burr Oaks, located in the proposed Lot 1 that will conflict with the proposed development. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jeff Quamme of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat.
5. The Applicant shall correctly show the existing Right of Way and Dedicate a 10 foot wide strip of Right of Way along Hughes Place in front of the Police Station/ the lands described in Quit Claim Deed Document No. 3151893. There was no formal record found that the 10' dedication has taken place in Real Estate Project 7673. Amend the Legal Description to reflect the changes.
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. A note shall be added under all of the street names labeled and to be dedicated on the CSM/plat, "Dedicated to the Public" as required by 236.20(4)(b).
8. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of

required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jule Smith, City Engineering (jsmith4@cityofmadison.com)

9. 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.
10. 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 Jule 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.
11. Per MGE Easement Language contained in Document No. 5529723 easement only indented to cover area of parcel up to Right-of-Way of W. Badger Road. Remove portion of this easement shown in the Right-of-Way.
12. Label the existing building in proposed Lot 1 to be removed.
13. Label the southerly most line of proposed Lot 2 or the North line of the lands being dedicated for W. Badger Road. with Bearing and Distance.
14. Verify the both lot areas. Specifically Lot 2 as it appears the road dedication may be included.
15. Confirm the length of the North line of Lot 1. the current sum of the sub distances of Lots 1 and 2 do not match the overall of 525.19. Lot 1 is listed as 212.69' and seems it should be 212.50'
16. There are two distance labels shown for the overall North line of the CSM along Hughes Place 525.19 is listed twice.
17. Cypress Way is noted as Varies. Revise the note under Cypress Way to state Platted as 60' Right-of-Way. Additionally two of the recorded as labels shown along Cypress way are listed as 33' these should all be 30'
18. delete the thick solid line long the centerline of Cypress Way
19. Remove note 2 on sheet 3 of 6
20. West is the pre-directional part of the street name. Abbreviate the name as W. Badger Road.
21. Label the side street of Magnolia Lane.
22. Submit to Jule 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.

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

23. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

Office of Real Estate Services

A staff report addendum will be available prior to the November 7, 2022 Plan Commission meeting with recommended conditions of approval from the Office of Real Estate Services.

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