



PREPARED FOR THE PLAN COMMISSION

Project Address: 2066-2094 Helena Street (District 6, Alder Mayer)
Application Type: Rezone, Conditional Use, and Certified Survey Map
Legistar File ID #: [92209](#), [91908](#), and [91912](#)
Prepared By: Lisa Ernest, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Owner: Helena St, LLC; 1682 Kettering Street, Irvine, CA, 92614

Applicant: Ethan Schwenker; Hovde Properties; 122 West Washington Avenue, Madison, WI 53703

Contact: Jeff Davis; Angus Young Architects / Engineers; 316 West Washington Avenue, Madison, WI 53703

Requested Action:

- Legistar ID [92209](#) – Change the zoning of property located at 2066-2094 Helena Street from TE (Traditional Employment) District to TSS (Traditional Shopping Street) District.
- Legistar ID [91908](#) – Consideration of a conditional use in the [Proposed] Traditional Shopping Street (TSS) District and the Transit-Oriented Development (TOD) zoning overlay district for a multi-family dwelling with greater than 60 dwelling units to allow construction of a three-story, 61-unit multi-family dwelling.
- Legistar ID [91912](#) – Approving a Certified Survey Map of property owned by Helena Street, LLC located at 2066-2084 Helena Street.

Proposal Summary: An existing warehouse building would be demolished. A three-story, 61-unit multi-family building with underground parking would be built on the site. The Certified Survey Map (CSM) would combine eight lots into one lot. The CSM would dedicate an easement for a bike path connection between the Capital City bike path and Helena Street.

Applicable Regulations & Standards: Approval standards for rezones are in MGO Section 28.182. Approval standards for conditional uses are found in MGO Section 28.183(6). Approval standards for Certified Survey Maps are in MGO Section 16.23.

Review Required By: Plan Commission and Common Council

Summary Recommendation: The Planning Division recommends the following to the Plan Commission regarding the applications for 2066-2094 Helena Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find the standards for zoning map amendments met, and forward Zoning Map Amendment ID 28.022-00748 to the Common Council with a recommendation of **approval**.
- That the Plan Commission find the approval standards for conditional uses met and **approve** the request for a 61-unit multi-family building.

- That the Plan Commission find the approval standard for Certified Survey Maps met and forward the Certified Survey Map for 2066-2094 Helena Street to the Common Council with a recommendation of **approval**.

Background Information

Parcel Location: The site is 0.82 acres (35,535 square feet). It is bound by Helena Street to the southeast and the Capital City bike path and Eastwood Drive to the northwest. It is located near the intersection of Eastwood Drive and Division Street. The site is within Alder District 6 (Alder Mayer) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site is in Traditional Employment (TE) District and the Transit-Oriented Development (TOD) Overlay District. There is a one and two-story warehouse and office building on the property. The building was most recently occupied by Schoep’s Ice Cream.

Surrounding Land Use and Zoning:

North: Capital City bike path, zoned Traditional Employment (TE) District; Eastwood Drive; Multi-story, mixed-use buildings and one-story commercial buildings, zoned Traditional Shopping Street (TSS) District; and

East: Three-story multi-family building, zoned TSS District; Division Street; and

South: Across Helena Street, manufacturing building, zoned TE District; and

West: Single family buildings, zoned Traditional Residential – Consistent 4 (TR-C4) District.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2024) recommends Neighborhood Mixed-Use (NMU) development. The [Marquette-Schenk-Atwood Neighborhood Plan](#) (1994) recommends Low-Med Density Residential District. Staff consider the NMU recommendation in the Comprehensive Plan to be the contemporary land use recommendation for the property.

Zoning Summary: The proposed zoning district is the TSS (Traditional Shopping Street) District. It is also in the Transit-Oriented Development (TOD) Overlay District.

Requirements	Required	Proposed
Lot Area (sq. ft.) for exclusive residential use	350 sq. ft./d.u. (21,350 sq. ft.)	35,535 sq. ft.
Front Yard Setback	0’ or 5’	17’2”
Max. Front Yard Setback: TOD	20’	17’2”
Side Yard Setback: Where buildings abut residentially-zoned lots at side lot line	Minimum side yard required in the adjacent residential district (TR-C4): 5’	24’1” southwest side
Side Yard Setback: Other cases	0	5’ northeast side
Rear Yard Setback if rear property line adjacent to a lot or right-of-way with a publicly-owned multi-use path within 100’	5’	11’9”
Maximum Lot Coverage	85%	73%
Minimum Building Height: TOD	2 stories	3 stories/<60’
Maximum Building Height: TOD	4 stories/60’	3 stories/<60’

Site Design	Required	Proposed
Number Parking Stalls	No minimum required: TOD	44 garage

		6 moped	See Comment #38
Electric Vehicle Stalls	20% EV ready (9)	2 EV installed 7 EV ready	See Comment #36
Accessible Stalls	Yes	2	
Loading	None	None	
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (62) 1 guest space per 10 units (6) (68 total)	62 garage 6 site (68 total)	See Comment #37
Landscaping and Screening	Yes	Yes	See Comment #39
Lighting	Yes	Yes	
Building Form and Design	Yes	Large multi-family building See Comments #40, #41	

Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

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

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

Project Description, Analysis, and Conclusion

Project Description

The applicant is proposing to build a three-story, 61-unit multi-family building on the property. The property includes eight existing lots that would be combined into one lot.

The building height is 48.75 feet. The underground parking is partially exposed above ground. This is due to the groundwater levels and interior ramping to the underground parking. Because the underground parking is exposed the entrances to the building are about 6.5 feet above ground. There is a wall with terraced landscape beds along the west half of the building. There are two sets of stairs that provide access to the shared terrace space that runs the length of the buildings. There are a set of stairs and a ramp along the east half of the building that also provide access the terrace and the main building entrance. There are also individual unit entries to four units from the terrace. The ramp is about 107 feet long. The entrance to the parking garage is at the east end of the building. There are recessed balconies on the front and rear elevations. Not every unit has a balcony. A patio space is located in the rear yard facing the bike path.

A public bike path connection will be constructed in an easement along the west property line. It will connect Helena Street to the Capital City bike path. A six-foot tall wooden fence will be installed on the property line to separate the bike path and the building from the neighboring property.

The primary building materials are an off-white brick, dark grey metal panel, and a wood grain vertical lap siding. The materials are applied in vertical sections. The terrace wall is comprised of a burnished concrete masonry unit with a stone masonry unit base. The plans show a future mural on the ramp wall. The design is not being proposed at this time. A mural would need to be approved as a minor alteration to the conditional use, as noted in the recommended conditions of approval.

The terrace landscape beds have a mix of deciduous shrubs, perennials and grasses. There is a single row of a deciduous chokeberry shrub in front of the ramp wall. Deciduous shrubs are also planted along the base of the building on the east and west elevations. A landscape area in the rear yard includes two crabapple trees, and a mix of evergreen shrubs, deciduous shrubs, perennials and grasses.

The applicant plans to start construction in June 2026.

Demolition Application

In 2025 the Common Council adopted Ordinance 25-00010 to change the demolition review process and approval standards. When a demolition application is submitted it is first reviewed by the Landmarks Commission. The Landmarks Commission assigns a Category A, B or C to each building. Category A buildings have historic value based on architectural significance, cultural significance, or historic significance. Category B buildings have historic value, but the building itself is not historically, architecturally or culturally significant. Category C buildings have no known historic value. The demolition of a Category C building can then be approved by the Director of Building Inspection. The demolition of a Category A or B building shall be considered by the Plan Commission after a public hearing.

The demolition will be considered by the Landmarks Commission on May 4th (Legistar ID [92260](#)). The Plan Commission may decide on the conditional use request before the Landmarks Commission has reviewed the demolition application. However, building permits for the project cannot be issued until the demolition application is approved. Additionally, if the demolition request is not approved, a major alteration to the conditional use is anticipated as significant redesign would be necessary. An advisory note has been added to the recommended conditions of approval.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2024) recommends Neighborhood Mixed-Use (NMU) development. The [Marquette-Schenk-Atwood Neighborhood](#) Plan (1994) recommends the Low-Med Density Residential District. Staff consider the NMU recommendation in the [Comprehensive Plan](#) to be the contemporary land use recommendation for the property.

Buildings in NMU areas are expected to be two to four stories and are generally recommended for less than 70 dwelling units per acre (du/ac). Areas may include a variety of housing types, including townhouses, small multifamily buildings, and large multifamily buildings.

The project is a large, three-story multifamily building. The density of the site would be 74.8 du/ac. The height and density are generally consistent with the recommendations in the [Comprehensive Plan](#).

Zoning Map Amendment (Rezone) Standards

There is a zoning map amendment (rezoning) request change the zoning of the site from the Traditional Employment (TE) District to the Traditional Shopping Street (TSS) District.

The zoning map amendment standards are in MGO Section 28.182(6). Zoning map 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."

The TSS District is used to implement the NMU land use recommendation in the City. Staff believe that the proposed rezone is consistent with the City's Comprehensive Plan and that the zoning map amendment standards can be found met.

Conditional Use Standards

The applicant is requesting approval of a multi-family building with more than 60 units in the TSS (Traditional Shopping Street) District and the Transit-Oriented Development (TOD) Overlay District.

The conditional use approval standards state that the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of MGO Section 28.183(6) are met. Please note, 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. State law also states that if an applicant for a conditional use meets or agrees to meet all of the requirements and conditions specified in the city ordinance or those imposed by the Plan Commission, the city shall grant the conditional use permit.

MGO Section 28.183(6) lists sixteen approval standards, of which not all are applicable to every conditional use. For this request, Standards 7 and 9-16 do not apply, while standards 1-6 and 8 are applicable. Staff believe that the Plan Commission can find standards 1-6 and 8 to be met. This report provides additional information regarding standards 2, 5, and 8.

Standard 2 states, "The City is able to provide municipal services to the property where the conditional use is proposed, given due consideration of the cost of providing those services."

The Engineering Division has determined that off-site sewer facility improvements will likely be required to be made by the developer to facilitate the proposed development, as noted in the recommended conditions of approval at the end of the report.

Standard 5 states, "Adequate utilities, access roads, drainage, internal circulation improvements for pedestrians, bicyclists, public transit and vehicles, parking supply (in cases with minimum parking requirements) and other necessary site improvements have been or are being provided."

The buildings at 2066-2084 Helena Street were most recently used by Schoep's Ice cream for warehousing and distribution. Per the owners of the property, Schoep's Ice Cream, they have moved these operations to a different location. Schoep's Ice Cream still operates in the manufacturing building across the street. There will continue to be truck traffic associated with the manufacturing building. The owners expect the truck traffic to occur on Division Street. It is possible that those trucks may need to back-up onto Helena Street to exit the neighborhood and head north on Division Street. The City expects to make remove three to four street parking spaces to help facilitate truck traffic and minimize conflicts with the added residential traffic. However, because the new driveway for the proposed project is narrower than the two existing driveways, the net loss of parking is about one to two street parking spaces.

Standard 8 states, "When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained

aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district.”

Staff’s primary design question relates to the amount of exposed lower level, which staff understand is due to high groundwater levels. The applicant has attempted to break down the scale of this exposed level through a terraced wall, and a possible future mural on the ramp wall. The design is not being proposed at this time. A mural would need to be approved as a minor alteration to the conditional use, as noted in the recommended conditions of approval. A minor alteration would not be considered by the Plan Commission.

Staff believe, given due consideration of adopted Plans, that the approval standards can be found met subject to the recommended conditions of approval.

Land Division Standards

The Certified Survey Map would create one lot. It would dedicate four feet of additional right-of-way to allow for a five-foot wide sidewalk and 8-foot terrace to be installed. And it would dedicate an easement to the public for a public bike path connection between the Capital City bike path and Helena Street.

Consistent with the standards and criteria in the Subdivision Regulations, the size, shape and orientation of the proposed lots are appropriate for the location and for the proposed type of development and use. Staff believe that all applicable standards for land divisions can be found met.

Public Input

There was a neighborhood meeting held for this project. The Marquette Neighborhood Association provided a letter in support of the project. The letter encourages support for additional permeable landscaping, including canopy trees and native plantings. The Schenk-Atwood-Starkweather-Yahara Neighborhood Association provided a letter in support of rezoning the property to the Planned Development (PD) District. Staff note that the applicant previously considered a rezone to the PD District but was able to move forward with the project in the TSS District.

Please see Legistar for all comments received about this project. Comments received after this report is published are not reflected in the report.

Conclusion

Given due consideration of adopted plans, staff believe that the approval standards for zoning map amendments, conditional uses, and land divisions can be found met, subject to the recommended conditions of approval.

Recommendation

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

The Planning Division recommends the following to the Plan Commission regarding the applications for 2066-2094 Helena Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find the standards for zoning map amendments met, and forward Zoning Map Amendment ID 28.022-00748 to the Common Council with a recommendation of **approval**.

- That the Plan Commission find the approval standards for conditional uses met and **approve** the request for a 61-unit multi-family building.
- That the Plan Commission find the approval standard for Certified Survey Maps met and forward the Certified Survey Map for 2066-2094 Helena Street to the Common Council with a recommendation of **approval**.

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

Land Use Request

Planning Division (Contact Lisa Ernest, 243-0554)

1. At the time of Plan Commission consideration of this Conditional Use request, the Landmarks Commission has not provided their advisory opinion on the historic value of the existing building. Should the Landmarks Commission find there is historic value, Plan Commission consideration of the demolition(s) will be required. If a demolition is not approved, an alteration to this conditional use will be required and further review by the Plan Commission may be required to address resulting changes to development plans.

Engineering Division (Contact Gretchen Aviles Pineiro, 266-4098)

2. A DA is required to relocate the existing storm sewer through the site. This design will be reviewed and approved by City Engineering and a new easement shall be required. Pipe size will be a minimum of 21" and shall be RCP. Sufficient inlets shall be provided to fill the pipe.
3. A Phase 1 Environmental Site Assessment (ESA) (per ASTM E1527-21), is required for lands dedicated to the City. Provide one (1) digital copy and staff review will determine if additional investigation is required. Submit report(s) to Environmental Review (environmentalreview@cityofmadison.com).
4. The property is open with the Wisconsin Department of Natural Resources (WDNR) Bureau of Remediation and Redevelopment Tracking System (BRRTS) (#03-13-597298 Helena Street Parcel) and is currently not in compliance per NR 716. City Engineering will require a copy of WDNR approval of a plan for site remediation prior to approving any site disturbance permits including demolition. Any contaminated soil or groundwater shall be handled and disposed of in accordance with all WDNR regulations. Contamination existing in land dedicated to the City must be properly handled and disposed of at the sole cost of the developer, and in consultation with the City. The developer shall provide all records pertaining to WDNR coordination and environmental investigations to Environmental Review (environmentalreview@cityofmadison.com).
5. The proposed 8" diameter lateral connection to a 8" diameter sewer main requires a manhole structure. Applicant shall revise plan.
6. Applicant shall provide projected wastewater calculations for the proposed development to Mark Moder, mmoder@cityofmadison.com. Offsite sewer improvements by the developer likely to be required as a condition for development. Constructing sewer to drain to Division with a Developer Agreement likely to be required.

7. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Contact City Engineering to schedule the development and approval of the plans and the agreement.
8. Construct sidewalk, terrace, curb, gutter, and pavement along the property frontage on Helena Street per plans approved by City Engineer.
9. Construct 8 feet wide concrete sidewalk along the westerly property line that shall connect the existing Capital City Trail to the public sidewalk along the north side of Helena Street per plans approved by the City Engineer. The applicant shall be aware that this sidewalk could potentially block the existing stormwater drainage patterns and that culverts or other storm sewer improvements will be required to correct the drainage issue created by the new sidewalk.
10. 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))
11. 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))
12. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
13. 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.
14. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
15. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line: <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>.

The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.

16. 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)

17. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
18. This area is within a watershed study for flood mitigation and has a known flooding risk. The minimum opening elevations for structures proposed by this application shall have a low entrance elevation of 854.5 The stated elevation is intended to be protective but does not guarantee a flood proof structure. The Developer/Owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service that they are comfortable with.
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. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

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

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

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

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

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

Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.

100-year Overflow: The applicant shall demonstrate that water can leave the site and reach the public ROW without impacting structures during a 100-year event storm. This analysis shall include reviewing overflow elevations and unintended storage occurring on site when the storm system has reached capacity.

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.

22. 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).

Traffic Engineering (Contact Sean Malloy, 266-5987)

23. Lower level parking is not dimensioned and as such not reviewable at this time; Traffic Engineering reserves the right to make any comment up to and including comments that may require a redesign and cause the applicant to return to Plan Commission for approval. The applicant should be aware standard parking stalls are 9 feet by 18 feet with 24 foot of back-up, stall widths shall not be encroached upon by any items including columns.

24. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a minimum five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance, where applicable, along their site's frontage of Helena Street.

25. 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.

26. 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.

27. The City Traffic Engineer may require public signing, marking and street lighting related to the development; the Developer shall be financially responsible for such signing, marking and street lighting.

28. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
29. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
30. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan. Terrace shall be restored and seeded with grass.
31. Applicant shall submit for review a Waste Removal Plan. This shall include vehicular turning movements, times, vehicle size, use of loading zones and all related steps to remove trash from its location.
32. To allow for proper pedestrian movement and prevent encroachment from irregularly parked bicycles or bicycle with trailers, it is recommended for all bicycle racks to have a 2 to 5 foot buffer from parking or pedestrian walkways.
33. The applicant shall provide a clearly defined 5' walkway from their entrance to the public sidewalk 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.
34. 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.). If applicant believes public safety can be maintained they shall apply for a waiver of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the waiver shall be the determination of the City Traffic Engineer. Contact Jeremy Nash with Traffic Engineering at 608-266-6585 or jnash@cityofmadison.com to begin waiver process.
35. Applicant is encouraged, but not required, to provide 120V electric service for resident E-Bike parking.

Zoning (Contact Jenny Kirchgatter, 266-4429)

36. A minor alteration will be required for the future mural location shown on the retaining wall and accessible ramp.
--

37. Provide electric vehicle ready stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 20% of the parking stalls (9 stalls) must be electric vehicle ready. Identify the locations of the electric vehicle ready stalls on the plans and add the count of electric vehicle stalls to the parking and bicycle parking summary table.
38. 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 62 resident bicycle stalls is required plus a minimum of 6 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. Provide the number of bicycle stalls at each bicycle parking location. Show the dimensions of the bicycle stalls and the access aisles. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Submit a detail showing the model of bike rack to be installed.

39. Moped parking is not required, however where moped or scooter off-street parking is provided it shall meet the standards of Section 28.142(12). Show the dimensions of the moped parking spaces. Spaces shall be a minimum of three (3) feet by six (6) feet in size with a drive aisle of five (5) feet wide.
40. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
41. Provide details showing that the primary street façade meets the door and window opening requirements of Section 28.060(2)(d). For residential uses at ground level, a minimum of fifteen percent (15%) of the ground level of residential facades or side and rear facades not fronting a public street shall consist of windows and door openings. On upper stories, window or balcony openings shall occupy a minimum of fifteen percent (15%) of the upper-story wall area.
42. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide the window and door schedule to verify the sizes of the glazed areas and mullions. Provide details of the specific bird-safe glass treatment product that will be used.
43. Work with Zoning staff to establish a project completion date. 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.
44. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Fire Department (Contact Matt Hamilton, 266-4457)

45. Fire Dept Connection to be provided to the street level. The proposed location on the elevated patio is not acceptable.
46. Fire Access Lanes will need to take into account on street parking. Fire access lanes cannot be in parking spaces. Verify if there will be on street parking on Helena. If there is, revise fire access plan to account for street parking.

Parks Division (Contact Brian Kowalski, 243-2848)

47. 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(6)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the East Park-Infrastructure Impact Fee district. The Park Impact Fee ID# for this project is 26016. Visit <https://www.cityofmadison.com/parks/about/impactFees.cfm> for information about Park Impact Fee rates, calculations, and payment process.

Forestry Division (Contact Bradley Hofmann, 267-4908)

48. City Forestry will issue a street tree removal permit for trees #1-14 on the Street Tree Report within the unmaintained area between the Capital City Trail and 2066 Helena St on City Engineering property 1" to 22" diameter trees due to storm sewer upgrades and grading. The Contractor shall contact City Forestry at (608)266-4816 to obtain permit. Add as a note on both the demolition.

49. 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.
50. 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.
51. 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.
52. 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.
53. 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.

54. 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.
55. 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.
56. 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.
57. 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.
58. 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.

Water Utility (Contact Jeff Belshaw, 261-9835)

59. City Forestry will issue a street tree removal permit for trees #1-14 on the Street Tree Report within the unmaintained area between the Capital City Trail and 2066 Helena St on City Engineering property 1" to 22" diameter trees due to storm sewer upgrades and grading. The Contractor shall contact City Forestry at (608)266-4816 to obtain permit. Add as a note on both the demolition.

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.

Metro Transit (Contact Tim Sobota, 261-4289)

61. Metro Transit operates daily all-day transit service along Atwood Avenue near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays). Metro Transit operates additional daily all-day rapid transit service at First Street on East Washington Avenue near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays).
62. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 211 Weekday & 130 Weekend. Please contact Metro Transit if additional analysis would be of interest.

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

63. The proposed Public Storm Sewer Easement for the relocated storm sewer through the southwestern portion of this site shall be granted on the pending Certified Survey Map.
64. The proposed Public Sidewalk and Bike Path Easement shall be granted on the pending Certified Survey Map. The path is proposed with its southwest edge along the southwestern limits of the easement area. This does not allow for an adequate area for the construction, maintenance or replacement of the path. The easement shall be expanded to include the additional 4 feet to the southwest property line.
65. Remove the original right of way line in front of this site with the dedication of new lands to be granted on the pending Certified Survey Map.
66. The driveway easement per Doc No 1605050 lies entirely on the lands adjacent to the northeast, originally granted by Document No 1095626. The same easement area was originally granted per 1095626 and was released by Doc No 5244159. Both easements benefit lands within this site. With the previous release being recorded, it is suggested that this owner release its rights to 1605050 and clean up title.
67. There are license agreements for communication facilities within the City owned abandoned railroad right of way per Doc Nos 3314871 (Touch America) and 4232452 (Wisconsin DOA). There are communication facilities shown near the proposed relocated public storm sewer.
68. The existing industrial building addresses will be retired and archived with the demolition of the existing buildings. The address of the proposed apartment building is 2082 Helena St.
69. 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.

70. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or early start permit.
71. 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 per floor 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 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.

Parking Utility (Contact Trent Schultz, 246-5806)

72. The applicant shall submit a Transportation Demand Management (TDM) Plan for the project to tdm@cityofmadison.com. Submittal and approval of a TDM Plan is required, per MGO 16.03. Applicable review fees will be assessed after the TDM Plan is reviewed by staff.
73. Per Section MGO 12.138(14), residents of this development would not be eligible for the Residential Parking Permit Program (RP3). It is recommended that this prohibition be noted in the leases for the residential units.

The following agencies reviewed the request and recommended no conditions of approval: Assessor's Office.

Land Division Request

Engineering Division (Contact Gretchen Aviles Pineiro, 266-4098)

- | |
|--|
| <ol style="list-style-type: none">74. Phase 1 Environmental Site Assessment (ESA) (per ASTM E1527-21) is required for lands dedicated to the City. Provide one (1) digital copy and staff review will determine if additional investigation is required. Submit report(s) to Environmental Review (environmentalreview@cityofmadison.com). |
|--|

75. The property is open with the Wisconsin Department of Natural Resources (WDNR) Bureau of Remediation and Redevelopment Tracking System (BRRTS) (#03-13-597298 Helena Street Parcel) and is currently not in compliance per NR 716. City Engineering will require a copy of WDNR approval of a plan for site remediation prior to approving any site disturbance permits including demolition. Any contaminated soil or groundwater shall be handled and disposed of in accordance with all WDNR regulations. Contamination existing in land dedicated to the City must be properly handled and disposed of at the sole cost of the developer, and in consultation with the City. The developer shall provide all records pertaining to WDNR coordination and environmental investigations to Environmental Review (environmentalreview@cityofmadison.com).

76. This site will require a relocation of existing storm sewer. This will require a Development Agreement with the City, new easements, and prior to installation of the new pipe the potential site contamination issues shall be resolved.

77. Enter into a City / Developer agreement for the required public infrastructure improvements. Agreement to be executed prior to sign off. Contact City Engineering to schedule the development and approval of the plans and the agreement.

78. 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))

79. 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)

Traffic Engineering (Contact Sean Malloy, 266-5987)

80. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a minimum five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance, where applicable, along their site's frontage of Helena Street.

81. The applicant shall work with the Traffic Engineering and Engineering Division on formalizing the public path connection on their site.

Parks Division (Contact Brian Kowalski, 243-2848)

82. 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(6)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the East Park-Infrastructure

Impact Fee district. The Park Impact Fee ID# for this project is 26016. Visit <https://www.cityofmadison.com/parks/about/impactFees.cfm> for information about Park Impact Fee rates, calculations, and payment process.

83. The following note should be included on the CSM: "LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED."
84. The Parks Division shall be required to sign off on this CSM.

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

85. The proposed Public Sidewalk and Bike Path Easement shall be granted on the pending Certified Survey Map. The path is proposed with its southwest edge along the southwestern limits of the easement area. This does not allow for an adequate area for the construction, maintenance or replacement of the path. The easement shall be expanded to include the additional 4 feet to the southwest property line.
86. The driveway easement per Doc No 1605050 lies entirely on the lands adjacent to the northeast, originally granted by Document No 1095626. This easement area was originally granted per Doc No 1095626 and was released by Doc No 5244159. Both easements benefit lands within this site. With the previous release being recorded, it is suggested that this owner release its rights to 1605050 and remove from title.
87. The locations of the meander corners shall be shown in relation to the true locations of the Section Corners. Additionally the bearing and distance shall be shown from the meander corners to the Section Corners they represent.
88. Confirm the actual recovery of the Witness Monument at the South Quarter Corner as tie sheets indicate some issues at the corner location.
89. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com)
90. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
91. The legal description Section Corner tie in the legal description does not match the map. Mathematically they do not get to the same point of beginning. Correct as necessary to have both represent the same correct and accurate tie.
92. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction.

93. Submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work, preferably closed polylines for lot lines, shall be void of gaps and overlaps and match the final recorded plat:
- a. Right-of-Way lines (public and private)
 - b. Lot lines
 - c. Lot numbers
 - d. Lot/Plat dimensions
 - e. Street names
 - f. Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)

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

Real Estate Office (Contact Heidi Radlinger, 266-6559)

94. OWNER'S CERTIFICATION

Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate 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.

If any of the land within the CSM boundary is under contract for sale or purchase, and said transfer will be conducted at the time of CSM recording, an escrow agreement may be necessary. Please discuss closing plans with ORES in advance of CSM signoff.

The City and 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.

95. CERTIFICATE AND CONSENT REQUIREMENTS

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.

96. REAL ESTATE TAXES

As of the date of this letter the 2025 real estate taxes are still owed for the subject property.

Per 236.21(3) Wis. Stats. and 16.23(4)(f)(3) 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.

97. SPECIAL ASSESSMENTS

As of the date of this letter there are no special assessments reported. All known special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to Madison General Ordinance Section 16.23(4)(f)(3).

98. TITLE REPORT UPDATE

Pursuant to Madison City Ordinance Section 16.23(4)(c)(1), the owner shall furnish an updated title report to ORES via email to Heidi Radlinger 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 (1/9/26) 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.

99. COPY OF RECORDED CSM

The owner shall email the document number of the recorded CSM to ORES via email to Heidi Radlinger when the recording information is available.

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