



PREPARED FOR THE PLAN COMMISSION

Project Address: 120-126 North Orchard Street, 1313 Randall Court, 1314 Randall Court, and 1309-1311 West Dayton Street (District 8, Alder Govindarajan)

Application Type: Conditional Use and Certified Survey Map

Legistar File ID #: [89762](#) and [89776](#)

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

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Owner: Jake Solderholm; Dayton-Orchard, LLC and Solderholm State Street; 1020 Regent Street, Madison, WI 53715

Contact: Kevin Burow; Knothe & Bruce Architects; 8401 Greenway Boulevard, Middleton, WI 53562

Requested Action:

- Legistar ID [89762](#) – Consideration of a conditional use in the Traditional Residential-Urban 2 (TR-U2) District for a multi-family dwelling with between 37 and 60 units; consideration of a conditional use in the TR-U2 District for a building exceeding six stories and 78 feet in height; consideration of a conditional use for a parking reduction of more than 20 automobile spaces and 25 percent or more of the required parking, all to allow construction of an eight-story, 48-unit apartment building at 120-126 North Orchard Street, 1313 Randall Court, 1314 Randall Court.
- Legistar ID [89776](#) – Consideration of a Certified Survey Map to create two lots at 120-126 North Orchard Street, 1313 Randall Court, 1314 Randall Court, and 1309-1311 West Dayton Street.

Proposal Summary: On November 21, 2022 the Plan Commission approved a conditional use to allow an 8-story, 48-unit apartment building on the project site (Legistar ID [73815](#)). The approval will expire on November 21, 2025. On October 7, 2025 the Common Council approved an amendment to the Zoning Code that could allow a conditional use approval to be valid for a total of five years (Legistar ID [90056](#)). The applicant has stated that they plan to request an extension to the 2022 conditional use approval. Staff recommend that the conditional use request (Legistar ID [89762](#)) be placed on file without prejudice.

The Certified Survey Map (CSM) would create two lots. Lot 1 would combine 120-126 North Orchard Street, 1313 Randall Court, and 1314 Randall Court into one lot. Lot 2 would include the existing buildings at 1309-1311 West Dayton Street.

Applicable Regulations & Standards: Standards for conditional uses are found in MGO Section 28.183(6). The process and standards of approval for Certified Survey Maps are found in MGO Section 16.23.

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

Summary Recommendation: The Planning Division recommends the following to the Plan Commission regarding the applications for 120-126 North Orchard Street, 1313 Randall Court, 1314 Randall Court, and 1309-1311 West Dayton Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission **place on file without prejudice** the request for an eight-story, 48-unit apartment building, and a parking reduction of more than 20 automobile spaces and 25 percent or more of the required parking at 120-126 North Orchard Street, 1313 Randall Court, 1314 Randall Court. Due to recent changes to the Zoning Code, the applicant has stated that they plan to request an extension to the conditional use that was approved in 2022.
- That the Plan Commission find the approval standards for Certified Survey Maps are met and forward the Certified Survey Map at 120-126 North Orchard Street, 1313 Randall Court, 1314 Randall Court, and 1309-1311 West Dayton Street to the Common Council with a recommendation of **approval**.

Background Information

Parcel Location: The site of the proposed building includes five properties. It is 17,905 square feet (.41 acres). It is a through-lot that fronts both North Orchard Street and Randall Court (a dead end street). It is located between West Dayton Street and Spring Street. The site of the existing multifamily development is an 11,979 square-foot (.27-acre) is a through-lot that fronts both West Dayton Street and Randall Court. The front of the building faces West Dayton Street. It is located between North Randall Avenue and North Orchard Street. Both sites are located within Alder District 8 (Alder Govindarajan) and the Madison Metropolitan School District.

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

Surrounding Land Use and Zoning:

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

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

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

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

Adopted Land Use Plan: The [Comprehensive Plan](#) (2024) recommends Special Institutional (SI) development for the subject property. Surrounding properties are recommended for a combination of SI and High Residential (HR). The [Regent Street – South Campus Plan](#) (2008) recommends High Density with a density range of 41 to 60 dwelling units per acre.

Zoning Summary: The project site is zoned Traditional Residential-Urban 2 (TR-U2) District. The property at 1309-1311 Dayton Street is zoned Planned Development (PD) District.

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

On November 21, 2022 the Plan Commission approved a conditional use to allow an 8-story, 48-unit apartment building on the project site (Legistar ID [73815](#)). The approval will expire on November 21, 2025. On October 7, 2025 the Common Council approved an amendment to the Zoning Code that could allow a conditional use approval to be valid for a total of five years (Legistar ID [90056](#)). A conditional use approval is now valid for up to three years. The Director of Planning and Community and Economic Development, after consultation with an Alderperson, can approve an extension for up to one year after the approval has expired. The approval can then be extended for one more year following the same process.

The applicant has stated that they plan to request an extension to the 2022 conditional use approval. If approved the applicant could construct an 8-story, 48-unit building on the site after addressing the conditions of approval.

The Certified Survey Map (CSM) would create two lots. Proposed Lot 1 combines five lots into one and will be the site of the new development. It is a through-lot that fronts both North Orchard Street and Randall Court. The front lot line is along North Orchard Street. Randall Court is a dead end, and the rear lot line is located along the cul-de-sac of the street. Proposed Lot 2 reconfigures an existing lot that is occupied by a multifamily development. The CSM would clean up the underlying property description for Lot 2.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2024) recommends Special Institutional (SI) development for the subject property. Surrounding properties are recommended for a combination of SI and High Residential (HR). The [Regent Street – South Campus Plan](#) (2008) recommends High Density with a density range of 41 to 60 dwelling units per acre.

Land Division

The applicant has submitted a Certified Survey Map to create two lots. The CSM shows a minor lot line adjustment between proposed Lot 1 and Lot 2. However, the proposed lot line does not follow the existing boundary of the Planned Development (PD) District for 1309-1311 Dayton Street. This means that a portion of Lot 2 would have two Zoning Districts. The lot line would also result in a portion of the site improvements associated with the proposed development to be located on Lot 2. Staff recommend the following condition to address these issues, “The lot line between Lot 1 and Lot 2 shall be adjusted to follow the Zoning District boundaries.”

Staff believe that all applicable standards for land divisions can be found met, subject to the recommended conditions of approval.

Conclusion

On November 21, 2022 the Plan Commission approved a conditional use to allow an 8-story, 48-unit apartment building on the project site (Legistar ID [73815](#)). The approval will expire on November 21, 2025. On October 7, 2025 the Common Council approved an amendment to the Zoning Code that could allow a conditional use approval to be valid for a total of five years (Legistar ID [90056](#)). The applicant has stated that they plan to request an extension to the 2022 conditional use approval. Staff recommend that the conditional use request be placed on file without prejudice.

The applicant has submitted a Certified Survey Map to create two lots. Staff believe that all applicable standards for 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 120-126 North Orchard Street, 1313 Randall Court, 1314 Randall Court, and 1309-1311 West Dayton Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission **place on file without prejudice** the request for an eight-story, 48-unit apartment building, and a parking reduction of more than 20 automobile spaces and 25 percent or more of the required parking at 120-126 North Orchard Street, 1313 Randall Court, 1314 Randall Court. Due to recent changes to the Zoning Code, the applicant has stated that they plan to request an extension to the conditional use that was approved in 2022.
- That the Plan Commission find the approval standards for Certified Survey Maps are met and forward the Certified Survey Map at 120-126 North Orchard Street, 1313 Randall Court, 1314 Randall Court, and 1309-1311 West Dayton Street to the Common Council with a recommendation of **approval**.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Land Division Request

Planning Division (Contact Lisa McNabola, 243-0554)

1. The lot line between Lot 1 and Lot 2 shall be adjusted to follow the Zoning District boundaries.

Engineering Division (Contact Kathleen Kane, 266-4098)

2. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
3. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
4. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact Kate Kane (West) at 266-4098 (kkane@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)

5. 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, five (5)-foot terrace, and additional one (1) foot for maintenance, where applicable, along their site's frontage of Randall Court.
6. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

Parks Division (Contact Emma Krug, 263-6850)

7. 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 Central Park-Infrastructure Impact Fee district. The Park Impact Fee ID# for this project is LNDUSE-2025-00069. Visit <https://www.cityofmadison.com/parks/about/impactFees.cfm> for information about Park Impact Fee rates, calculations, and payment process.
8. 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."
9. The Parks Division shall be required to sign off on this CSM.

Water Utility (Contact Jeff Belshaw, 261-9835)

10. The location of the proposed hydrant relocation appears to be on private property. A public utility easement will need to be created for this hydrant location.
11. The following information shall be noted on the CSM prior to final approval: The properties are located within Wellhead Protection District—Zone (WP-27). Uses of the properties are required to comply with the City of Madison Wellhead Protection requirements as provided under MGO Sections 13.22 and 28.102.

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

12. Grant a Public Water Main Easement(s) to the City on the face of this Certified Survey Map or Subdivision Plat around the Fire hydrant in Randall Ct. The final width and location shall be determined by the Water Dept. and Madison Fire Dept.

Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com), for the final required easement language.
13. Grant a Public Sidewalk and Bike Path Easement(s) to the City on the face of this Certified Survey Map along the Randall Ct frontage. The final width and location to be approved by Engineering and Traffic Engineering.

14. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access and storm water drainage and management that are necessary between Lot 1 and Lot 2 of this pending Certified Survey Map to accomplish the site development as proposed. The document(s) shall be executed and recorded subsequent to the CSM recording and prior to building permit issuance.

15. The portion of Lot 1 within current Lot 7, Randall Court, is subject to covenants, conditions and restrictions per Doc No. 357980. This shall be shown and noted on the CSM. Additionally note that the 15' Building line is also subject to this document on sheet 1.
16. 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 Certified Survey Map.
- Note: there are existing utilities on site that currently cross both the parcel and proposed lot limits that may required formal easements.
17. Ownership and Mortgagee information does not coincide with the title report provided. This shall be rectified prior to final sign off.
18. 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)
19. 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.
20. 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.
21. Remove Note 8 on Sheet 4 and renumber notes 11 and 12
22. Per AE 7.05(11) list the Datum and adjustment for the County Coordinates used.
23. 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.

Real Estate Office (Contact Trent Milliken, 266-5940)

24. OWNER'S CERTIFICATION

Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report.

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.

When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

25. MORTGAGEE/VENDOR CERTIFICATION

Prior to CSM approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s).

If a mortgage or other financial instrument is reported in record title but has been satisfied or no longer encumbers the lands or ownership within the CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to CSM approval sign-off.

26. CERTIFICATE AND CONSENT REQUIREMENTS

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

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

236.21(2)(a).

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.

Madison Common Council Certificate: Please update the signature line of the Common Council Certificate to show:

Lydia McComas, City Clerk
City of Madison, Dane County Wisconsin

27. REAL ESTATE TAXES

As of 9/25/2025, the 2024 real estate taxes are paid for the subject property.

28. SPECIAL ASSESSMENTS

As of 9/25/2025, 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).

29. TITLE REPORT UPDATE

Note that the original title report included a parcel that was not part of the CSM (251/0709-221-1132-6). This parcel does not need to be included in the 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 Trent Milliken (tmilliken@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (8/11/2025) 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.

30. ADDITIONAL REQUIREMENTS

Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.

If all parties of interest agree that certain easements from prior plats or CSM's of record are no longer necessary, the release documents for said easements shall be recorded prior to CSM approval sign-off, with the recording information for the release included as a Note on the proposed CSM.