

PLANNING DIVISION STAFF REPORT

April 7, 2025



PREPARED FOR THE PLAN COMMISSION

Project Address: 2230 Pennsylvania Avenue (District 12, Alder Latimer Burris)
Legistar File ID #: [87471](#), [87475](#)
Prepared By: Lisa McNabola, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Owner: William Butcher; Madison Square Storage, LLC; 902 Williamson Street, Madison, WI 53703

Contact: Adam Watkins; Wyser Engineering, LLC; 300 East Front Street, Mount Horeb, WI 53572

Requested Action:

- Legistar ID [87471](#) – Consideration of a conditional use in the Industrial-Limited (IL) District for a private parking facility.
- Legistar ID [87475](#) – Consideration of a Certified Survey Map of property owned by Madison Square Storage, LLC located at 2230 Pennsylvania Avenue.

Proposal Summary: The applicant proposes to develop a private parking facility on the site. The parking lot would be used by the University of Wisconsin as a “park and ride” facility for employees. A Certified Survey map would combine two lots into one.

Applicable Regulations & Standards: MGO Section 28.183(6) lists the standards of approval for conditional uses. MGO Section 28.151 lists the Supplemental Regulations for non-accessory parking facilities. The site is located in Urban Design District 4. This application will be reviewed administratively by the Urban Design Commission Secretary as allowed by MGO Section 33.24(4)(g). The process and standards of approval for Certified Survey Maps are found in MGO Section 16.23(5)(g).

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

Summary Recommendation: The Planning Division recommends that the Plan Commission find the approval standards for conditional uses are met and **approve** a private parking facility at 2230 Pennsylvania Avenue. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 116,160 square-foot (2.7 acres) parcel is located along Pennsylvania Avenue between North Third Street and North Sixth Street. The site is located within Alder District 12 (Alder Latimer Burris) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site is vacant. There are two billboard signs located on the site. It is zoned Industrial-Limited (IL) District, and it is located in Urban Design District 4.

Surrounding Land Use and Zoning:

North: One and two-story commercial and industrial buildings, zoned Industrial Limited (IL) District;

East: Across Pennsylvania Avenue, Demetral Park, zoned Parks and Recreation (PR) District; one and two-story residential buildings, zoned Traditional Residential – Consistent 4 (TR-C4) District;

South: One and two-story commercial and industrial buildings, zoned IL District and Regional Mixed-Use (RMX) District; and

West: Lands owned by Madison Gas and Electric, Wisconsin and Southern Railroad, Railroad depot, zoned IL District; one-story industrial building, zoned IL District; one and two-story residential buildings, zoned TR-C4 District.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2023) recommends Employment (E) development for the subject site. The [Oscar Mayer Special Area Plan](#) (2020) recommends Employment (E) development for the subject site. The [Emerson East Eken Park Yahara Neighborhood Plan](#) (2015) recommends Industrial (I) development for the subject site.

Zoning Summary: The property is in the IL (Industrial-Limited) District.

Requirements	Required	Proposed	
Lot Area (sq. ft.)	20,000 sq. ft.	116,135 sq. ft.	
Lot Width	75'	439.93'	
Front Yard Setback	0' or 5'	Adequate	See Condition #20
Side Yard Setback	None if adjacent to property zoned IL or IG	Adequate	See Condition #20
Rear Yard Setback	30'	Adequate	See Condition #20
Maximum Lot Coverage	75%	65%	
Maximum Building Height	Not required	None	

Site Design	Required	Proposed	
Number Parking Stalls	No minimum required	229	
Electric Vehicle Stalls	EV ready: 10% (23)	4 EV 14 EV ready	See Condition #22
Accessible Stalls	Not required	7	See Condition #21
Loading	Not required	None	
Number Bike Parking Stalls	Not required	6	
Landscaping and Screening	Yes	Yes	See Condition #20
Lighting	Yes	Yes	
Building Form and Design	Not required	None	

Table prepared by Assistant Zoning Administrator Jenny Kirchgatter

Environmental Corridor Status: The 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

Previous Approvals

On April 8, 2024, Plan Commission approved a conditional use to allow a four-story indoor personal storage facility on a portion of this site (Legistar ID [81922](#)). The approval will expire April 8, 2026. Per the owner the project is not moving forward. If approved, this would replace the previous approval.

On April 16, 2024, Common Council approved a Certified Survey Map (CSM) to create two lots at 2230 Pennsylvania Avenue (Legistar ID [81944](#)). The CSM has not been recorded. The approval will expire April 16, 2025.

Project Description

The applicant is seeking approval of a CSM to combine two lots into one lot. The lot would be 116,135 square feet (2.6-acre).

The parking lot would be used exclusively by the University of Wisconsin as a “park and ride” facility for employees and affiliates. Users would be picked up by a University bus and taken to campus. The bus will arrive every 20 minutes during peak periods, which include 5:40 a.m. to 9:00 a.m. and 3:00 p.m. to 6:00 p.m. It will arrive every 30 minutes during off-peak periods from 5:40 a.m. to 8:00 p.m. The bus service will run on the weekdays and may run during weekend special events with limited bus service. The parking lot will also be monitored by University Transportation Services as part of their parking operations.

The site would be accessed from Pennsylvania Avenue. The parking lot is setback approximately 50 feet from the street. There would be 229 parking spaces, 2 motorcycle parking spaces, and 6 bike parking spaces. Two electric vehicle (EV) charging stations would be installed along the row of parking facing Pennsylvania Avenue. There would be a bus loading area with a bus shelter located in the center parking aisle. There is a driveway entrance at the back of the lot that will provide Madison Gas and Electric access to the property the company owns along the railroad. The landscape plan shows that an existing row of deciduous shrubs and three trees along Pennsylvania Avenue would remain. The applicant is proposing additional landscaping in the setback area and in the parking island. The proposed landscaping consists primarily of deciduous plantings.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2023) recommends Employment (E) development for the subject property. Employment (E) areas include predominantly corporate and business offices, research facilities, laboratories, hospitals, medical clinics, and other similar uses. They generally do not include retail and consumer service uses for the wider community but may include limited retail and service establishments that primarily serve employees and users of the area.

The [Oscar Mayer Special Area Plan](#) (2020) recommends Employment (E) development for the subject site. The Plan also notes that all uses should be compatible with the density and scale of the surrounding development. The [Emerson East Eken Park Yahara Neighborhood Plan](#) (2015) recommends Industrial (I) development for the subject site. The site is located in Focus Area 7 (Pennsylvania Avenue Commercial Corridor) of the Plan. Focus Area 7 was identified as a major gateway to the City from the airport. Per the [Comprehensive Plan](#), where there is an overlap in sub-area plans, the more recently adopted plan should govern unless otherwise specified within the plan or within a plan amendment.

Private parking facilities are a conditional use in the IL District. While the proposed use is not a typical Employment use, staff do not believe it will preclude this property or nearby properties from developing or redeveloping in accordance with adopted plans in the future.

Urban Design District 4

The Urban Design Commission (UDC) is an approving body for this request because it is located in Urban Design District 4 (UDD 4). Pursuant to MGO Section 33.24(g), the UDC Secretary may administratively approve building additions, minor façade alterations, or minor construction if it is found to comply with the applicable requirements and guidelines of the district in which it is located. The UDC Secretary has determined that the proposed project

can be reviewed administratively due to the scope of project being limited to landscaping and accessory structures, including a bus shelter and proposed and future EV charging stations.

If the Plan Commission approves the conditional use request, then the UDC Secretary would review the project for compliance with the applicable UDD 4 guidelines and requirements as part of the Site Plan Review administrative process. As part of that review, the UDC Secretary may require the applicant to alter the project plans to comply with applicable UDD 4 guidelines and requirements, including but not limited to those that speak to landscaping and off-street parking areas.

The UDC Secretary believes this can be administratively approved as part of the Site Plan Review sign off process if the applicant increases the screening to meet the requirements of UDD 4 (along with other conditions). Specifically, the "Off-street Parking and Loading Areas" and "Landscape" guidelines and requirements that in general speak to screening uses and unattractive features, and that plantings should provide year-round color and texture, beds should be edged and mulched, and landscape berms should be used to screen the view of parking areas.

If the UDC Secretary is unable to find that the project plans are consistent with the UDD 4 guidelines and requirements, then review and approval by the Urban Design Commission at a regularly scheduled meeting will be required.

Conditional Use Standards

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

Approval standard 4 states, "The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district." Staff do not believe establishing a private parking lot on this site would impede nearby properties that are zoned Industrial-Limited District and Regional Mixed-Use District from developing in accordance with those districts.

Approval 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." Per the recommended conditions of approval from Traffic Engineering the applicant shall provide a drop off and pickup plan for their review. The plan would include the location and time of drop off and pick up and show the turning movements of the bus. The condition also notes that the applicant should not expect to use City right-of-way for drop off and pickup. Metro Transit has included a recommended condition of approval that states, "To facilitate City transit planning efforts, the applicant shall identify the accessible pedestrian connection between the off-street bus loading area and the City public right-of-way along the west side of Pennsylvania Avenue." The applicant is expected to install a sidewalk connection from the loading area to the street in order to address this condition.

Approval 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.” The project is in Urban Design District 4, which has guidelines and requirements that speak to landscaping and off-street parking areas. Staff believe this standard can be found met if the project plans are found to comply with UDD 4 guidelines and requirements, as described above.

Staff believe the conditional use approval standards can be found met, subject to the recommended conditions of approval and compliance with UDD 4.

Land Division

The applicant has submitted a Certified Survey Map (CSM) to create one lot in the Industrial Limited (IL) District. Per the recommended conditions from Traffic Engineering the applicant shall provide a sidewalk easement to accommodate a wider sidewalk and terrace in the future.

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

Conclusion

While the proposed private parking facility does not directly establish an Employment use on the subject site, staff do not believe the proposed use will preclude this property or nearby properties from developing or redeveloping in accordance with adopted plans in the future. Given due consideration of adopted plan, staff believe the conditional use approval standards can be found met and recommend approval and compliance with Urban Design District 4.

Recommendation

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

The Planning Division recommends that the Plan Commission find the approval standards for conditional uses are met and **approve** a private parking facility at 2230 Pennsylvania Avenue. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

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

Land Use Request

Engineering Division (Contact Brenda Stanley, 261-9127)

1. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
2. 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)

3. 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

www.cityofmadison.com/engineering/permits/excavation-in-the-right-of-way-permit. As a condition of the permit a deposit to cover estimated City expenses will be required.

4. 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.
5. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
6. 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.

7. Based on historical documents (e.g. 03-13-001909 HOOPER CONST CORP), the property may contain residual contamination. If contamination is encountered, follow all WDNR and DSPS regulations for proper handling and disposal.
8. 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.
9. 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>

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.

10. 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. 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.

11. 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)

12. 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.
13. 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.
14. 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.

15. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
16. "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.
17. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
18. Applicant shall submit for review a drop off and pickup plan. Applicant should not expect to use City Right of Way for drop off and pickup.
19. The applicant shall provide a clearly defined 5' walkway 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.

Zoning (Contact Jenny Kirchgatter, 266-4429)

20. Show the parking facility setback distances measured from the edge of the parking facility to the property lines.
21. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Identify the accessible and van accessible stalls on the plans. A van accessible stall is a minimum of 8 feet wide with an 8 foot wide striped access aisle. Show the required signage at the head of the stalls.
22. Provide electric vehicle ready stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 10% of the parking stalls (23 stalls) must be electric vehicle ready. Identify the locations of the electric vehicle ready stalls on the plans. Add the count of electric vehicle and electric vehicle ready stalls to the Site Information Block.
23. 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.
24. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

Metro Transit (Contact Tim Sobota, 261-4289)

25. To facilitate City transit planning efforts, the applicant shall identify the accessible pedestrian connection between the off-street bus loading area and the City public right-of-way along the west side of Pennsylvania Avenue.
26. The applicant shall notate the design features of the off-street bus loading area, that fulfill the applicable accessibility guidelines under the ADA for Bus Loading Areas (209.2.2).
27. The applicant shall notate that the vehicles using the off-street bus loading area will fulfill applicable accessibility guidelines under the ADA for Transportation Vehicles (Subpart B and/or G)
28. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

29. There are no eligible trips towards US Green Building Council/LEED Quality Access to Transit points, due to the closest Metro Transit bus stops with regularly scheduled service being at least one third mile walking distance.

Engineering Mapping (Contact Julius Smith, 264-9276)

30. Grant a Public Sidewalk Easement(s) to the City on the face of the concurrent Certified Survey Map
31. Any portion(s) of a public easement that is intended to be amended or to be released and replaced 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. 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.
32. Complete the City Real Estate Project already started to amend and replace the existing easement for the City Monitoring Well located at the Southwest corner of the parcel. the current well is located outside the existing 10' x 10' easement and will require a 10' x 20' for continued use and access.

33. Note: Per Document no. 4927539 Memorandum of Sign Site Lease to Adams Outdoor. The site is subject to unrecorded billboard leases. The lease may contain easement rights granted to the bill board company. Consider obtaining this lease so such rights can be shown. Provide a copy of the lease for the billboards if it is obtained. additionally confirm pond and landscaping and any other improvements will be allowed near billboards and will not conflict with any rights. Provide acknowledgement of approval the leaseholders approval.

34. Confirm large plantings do along the rear of site located in 34' easement for overhang of wires and cables per Document No. 1179182. do not interfere with MGE rights. Confirm the location of these plantings with the utility and provide their approval.

35. Per the City Engineering Landfills unit. Revise the Landscape plan with the new Monitoring well easement limits and Note no woody plantings will be allowed within 5' of the existing monitoring well located at the

Southwest corner of the site, and protect the existing well throughout the construction process from any damage.

36. The current address of 2230 Pennsylvania Ave will be retired and archived with the recording of the pending CSM.
37. The new address of the parking lot is 2228 Pennsylvania Ave.
38. 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.
39. 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.

Forestry (Contact Bradley Hofmann, Contact 267-4908)

40. 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.
41. 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.
42. City Forestry will issue a street tree removal permit for one 8" diameter Amur Maple tree due to driveway installation. 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.
43. 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.
44. 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.

45. 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.
46. 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.
47. 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.
48. 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.

The following agencies reviewed the request and recommended no conditions of approval: Fire Department, Water Utility, Parks Division, Parking Utility.

Land Division Request

Engineering Division (Contact Brenda Stanley, 261-9127)

49. 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)

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| <ol style="list-style-type: none">50. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for future five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance, where applicable, along their site's frontage of Packers Avenue. |
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Engineering Mapping (Contact Julius Smith, 264-9276)

51. Grant a Public Sidewalk Easement(s) to the City on the face of this Certified Survey Map along Pennsylvania Ave. The final width of this easement shall be approved by Engineering and Traffic Engineering.
52. Any portion(s) of a public easement that is intended to be amended or to be released and replaced 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. 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.

Complete the City Real Estate Project already started to amend and replace the existing easement for the City Monitoring Well located at the Southwest corner of the parcel. The current well is located outside the existing 10' x 10' easement and will require a 10' x 20' for continued use and access.

53. 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.
54. Note: Per Document no. 4927539 Memorandum of Sign Site Lease to Adams Outdoor. The site is subject to unrecorded billboard leases. The lease may contain easement rights granted to the billboard company. Consider obtaining this lease so such rights can be shown.
55. 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)
56. 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.
57. 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.
58. Update the signatory sheets with the current year where dates are provided.
59. 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)

60. OWNER'S CERTIFICATION

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

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

61. MORTGAGEE/VENDOR CERTIFICATION

- a. Prior to CSM approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s).
- b. If a mortgage or other financial instrument is reported in record title but has been satisfied or no longer encumbers the lands or ownership within the CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to CSM approval sign-off.

62. REAL ESTATE TAXES

As of March 12, 2025, real estate taxes for 2024 are outstanding 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. Payment is made to:

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

63. SPECIAL ASSESSMENTS

As of March 12, 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).

64. TITLE REPORT UPDATE

The title report submitted by the applicant does not meet application requirements. The title report shall be updated prior to CSM sign-off, pursuant to Madison City Ordinance Section 16.23. The updated report may be emailed 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 (6-25-2024) submitted with the CSM application. The report shall include all associated documents that have been recorded. ORES reserves the right to impose additional conditions of approval in the event the title report contains information that warrants revisions to the CSM. Surveyor shall update the CSM with the information reported in the title report.

A title commitment will be considered only as supplementary information to the title report.

65. ADDITIONAL REQUIREMENTS

- a. Replace all 2024 date references with 2025.
- b. Depict, name, and identify by document number all existing easements cited in record title and the title report.
- c. 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.
- d. Liens or judgments levied against the lands within the CSM boundary shall be satisfied, with proof of satisfaction provided prior to CSM approval sign-off.

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