



**Project Address:** 5555 Odana Road and 5534 Medical Circle (District 19 – Alder Guequierre)

**Application Type:** Demolition Permit, Conditional Use, Certified Survey Map referral

**Legistar File ID #** [91459](#), [91512](#), [91514](#)

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

**Reviewed By:** Kevin Firchow, AICP, Principal Planner  
Meagan Tuttle, AICP, Planning Director

## Summary

**Applicant:** Odana Apartments, LLC; c/o Bear Development, LLC; 4011 80<sup>th</sup> St; Kenosha, WI 53142

**Contact:** Nick Orthmann; Bear Development, LLC; 4011 80<sup>th</sup> St; Kenosha, WI 53142

**Surveyor:** Todd Buhr; JSD Professional Services; 507 W Verona Ave; Verona, WI 53593

**Owner:** BPH, LLC; 634 Struck St; Madison, WI 53713; and The Supreme Court; 5555 Odana Rd; Madison, WI 53719

**Requested Actions:** The applicant is seeking approval of:

- A demolition permit for the building at 5534 Medical Circle
- A certified survey map to create one lot
- The following conditional uses in a CC-T (Commercial Corridor-Transitional) district:
  - More than 60 dwelling units in mixed-use buildings per §28.061(1) MGO.
  - A building exceeding 5 stories in height per §28.067(3)(d) MGO.

**Proposal Summary:** The applicant is seeking approvals to demolish a building at 5534 Medical Circle and to construct a six-story mixed-use building with 154 units and 1,300 square feet of commercial space and a five-story mixed-use building with 73 units and 6,445 square feet of commercial space on a single lot created by CSM.

**Applicable Regulations & Standards:** Standards for demolition permits are found in §28.185(6) MGO. Standards for conditional use approval are found in §28.183(6) MGO. Procedures for land divisions (certified survey maps) are found in §16.23(4)(f) MGO.

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

**Summary Recommendations:** The Planning Division recommends the following to the Plan Commission regarding the applications for 5555 Odana Road and 5534 Medical Circle. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies beginning on page 12.

- That if the Plan Commission can find that all applicable standards of approval for demolition permits are met for 5534 Medical Circle, the Plan Commission should approve the demolition permit. However, if the Plan Commission cannot find that all applicable standards of approval for demolition permits are met for 5534 Medical Circle, the Plan Commission should place the demolition permit request on file; and
- That if the Plan Commission can find that all applicable standards of approval for demolition permits are met for 5534 Medical Circle, that the Plan Commission find that all applicable standards of approval for conditional uses are met and approve the requested conditional uses for the proposed buildings.

However, if the Plan Commission cannot find that all applicable standards of approval for demolition permits are met for 5534 Medical Circle, the Plan Commission should refer the conditional use request to a future meeting to allow the applicant an opportunity to make the necessary changes to accommodate the 5534 Medical Circle building in the proposal; and

- That the Plan Commission find the standards for land divisions are met and forward the Certified Survey Map to Common Council with a recommendation to approve.

## Background Information

**Parcel Location:** The subject site, composed of two existing lots, is 104,591 square feet (2.4 acres) and located in the center of the block bounded by Odana Road, Medical Circle, and Whitney Way, with frontage on both Odana Road and Medical Circle. The site is within Alder District 19 (Alder Guequierre) and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The existing parcel addressed 5555 Odana Road is zoned CC-T and currently occupied with a two-story office building and gym/health club. 5534 Medical Circle is also zoned CC-T and developed with a one-and-one-half story medical clinic building constructed in 1966.

### Surrounding Land Uses and Zoning:

North: Across Odana Road, a single-story shopping center zoned CC;

West: Five-story mixed-use building and two-story office buildings zoned CC-T;

South: Across Medical Circle, a YMCA with larger surface parking lot zoned CC-T; and

East: One-and-one-half-story daycare and school, swim club with outdoor pool, and single-story shopping center, all zoned CC-T.

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2023) recommends community mixed use (CMU) for the northern half of the site along Odana Road and employment (E) for the southern half of the site along Medical Circle. The [West Area Plan](#) (2024) has the same land use recommendations, with additional recommendations in the neighborhood plan discussed below.

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

Requirements	Required	Proposed
Front Yard Setback: Through lot	0' or 5'	>5' Odana Rd 18.2' Medical Cir
Max. Front Yard Setback	65' max Odana Rd 25' max Medical Cir	<65' Odana Rd 18.2' Medical Cir
Side Yard Setback: Where proposed buildings or abutting buildings have window openings in side wall(s) within 6' of lot line	5'	10.9' Building A 8.9' Building B north side 10.0' Building B west side Adequate east side
Maximum Lot Coverage	85%	85% (see zoning comment 4)
Maximum Building Height	5 stories/78'	Building A: 6 stories Building B: 5 stories/<78'

Site Design	Required	Proposed
Number Parking Stalls	No minimum required	75 surface 100 Building A garage 36 Building B garage (211 total) (see zoning comment 5)
Electric Vehicle Stalls	20% EV ready (42)	6 EV installed Bldg A 29 EV ready Bldg A 3 EV installed Bldg B 13 EV ready Bldg B (see zoning comment 6)
Accessible Stalls	Yes	Yes
Loading	Not required	Pick-up/drop-off area
Number Bike Parking Stalls	1 per unit up to 2-bedrooms, ½ space per add'l bedroom (154 Bldg A/ 73 Bldg B) 1 guest space per 10 units (15 Bldg A/ 7 Bldg B) General retail; service business; office: 1 per 2,000 sq. ft. floor area (2 min Bldg A/ 3 Bldg B) (254 total)	24 surface 162 Building A garage 73 Building B garage (259 total) (see zoning comment 5, 7, & 8)
Landscaping and Screening	Yes	Yes (see zoning comment 9)
Lighting	Yes	Yes
Building Form and Design	Yes	Flex building (see zoning comment 10)

<b>Other Critical Zoning Items</b>	Urban Design (UDD #3), Barrier Free (ILHR 69), Utility Easements, Wellhead Protection District (WP-12)
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*Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator*

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

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

## Project Description

The applicant is seeking approvals to demolish the building at 5534 Medical Circle and to construct a five-story mixed-use building and a six-story mixed-use building on a single lot created by CSM. Together, the two buildings have 227 dwelling units and 7,745 square feet of commercial space. Overall, the unit breakdown of the 227 units is 186 one-bedroom units and 41 two-bedroom units. The site, viewed in plan, is somewhat Z-shaped, with the southern portion offset almost entirely to the west of the northern portion. The site is generally laid out with two buildings: the northern building fronting on Odana Road is referred to as Building A in the application materials, and the southern building fronting on Medical Circle, and oriented north-south along the southern of the two western lot lines, is referred to as Building B. Surface parking, much of which is shared with the adjacent swim club via a compilation of shared access and parking agreements, lines the eastern and southern internal lot lines.

Building A is a six-story mixed-use building with 154 units and 1,300 square feet of commercial space. The unit breakdown is 129 one-bedroom units and 25 two-bedroom units. Building A is also proposed to include 40 structured vehicle parking stalls on the first floor, and 58 in the lower level for a total of 98 vehicle parking stalls. The building also includes 158 long-term indoor bicycle parking stalls. Vehicle access to the first-floor parking is through a driveway and garage door on the northern quarter of the east façade. Vehicle access to the lower-floor parking is through a driveway and garage door on the south façade. While predominantly linear in plan, the

building has two wings projecting west from the main mass of the building: a smaller wing at the north end and a larger wing at the south. A patio and outdoor passive recreational space are located within the small courtyard created by the two wings. The lower level of this building is occupied by parking, refuse, storage, and mechanical spaces. The first floor includes parking, several dwelling units, the 1,300-square foot commercial space located at the northeast corner along Odana Road, and the lobby, leasing office, fitness room, and clubroom, which opens onto the resident patio. The primary residential entrance is centered on the Odana Road façade. Floors two through six are all occupied with dwelling units, except for a community room at the northeast corner of the sixth floor. Primary façade materials are light and dark gray brick veneers on the first floor and a light gray composite lap siding on the upper floors. Secondary façade materials include split face CMU at the ground floor, taupe composite panel siding, and blue composite lap siding. Trim and accent materials include precast concrete banding, black and dark bronze aluminum balcony units, adonized aluminum storefront units, white vinyl windows, and black composite panels siding.

Building B is a five-story mixed-use building with 73 units and 6,445 square feet of commercial space. The unit breakdown is 57 one-bedroom units and 16 two-bedroom units. Building B is also proposed to include 36 structured vehicle parking stalls and 73 long-term indoor bicycle parking stalls. Vehicle access to the underground parking is through a driveway and garage door on the southern third of the east façade. The lower level of this building is occupied by parking, refuse, and mechanical spaces. The first floor includes several dwelling units, the 6,445-square foot commercial space located at the south end, and the lobby, coworking space, fitness room, resident storage, and bicycle parking. The primary residential entrance is centered on the Odana Road façade. Floors two through five are all occupied with dwelling units. Primary façade materials are light and dark gray brick veneers on the first floor and blue and light gray composite lap siding on the upper floors. Secondary façade materials include split face CMU on the ground floor and taupe composite panel siding above. Trim and accent materials include precast concrete banding, black and dark bronze aluminum balcony units, adonized aluminum storefront units, white vinyl windows, and black composite panels siding.

Vehicular site access on Odana is via an existing shared driveway at the far east corner of the site. Access to Medical Circle is via a proposed driveway located slightly west of the easternmost of the two existing driveways. In addition to the 134 structured vehicle parking stalls, the site includes 75 surface parking stalls. Also, in addition to the 241 long-term indoor bicycle parking stalls, the site includes 24 short-term outdoor parking stalls. Because of the size of the parcel and the block within which it sits, the applicant has provided two separate north-south pedestrian paths connecting Odana Road and Medical Circle in consultation with City staff.

Landscaping includes a variety of perennials, grasses, and deciduous and evergreen shrubs around the bases of both buildings, as well as upright evergreen shrubs and ornamental trees along the property lines adjacent to the five-story mixed use building to the north and west, which effectively enclose the dog run and the tenant terrace. The terrace is also landscaped with a variety of perennials, grasses, and deciduous and evergreen shrubs. A dog run is located between the two buildings. Plans show green roof tray systems on the roofs of both buildings: approximately 7,000 square feet on Building A and 4,000 square feet on Building B. A large triangular landscaping bed located between the southernmost surface parking and the adjacent school and daycare is heavily planted with the largest trees on the landscape plan—a line of white pines, swamp white oaks, river birches, and serviceberries, as well as shrubs—to create a vegetative screen between the redevelopment site and the school and daycare.

According to the letter of intent, the applicant intends to begin demolition in July 2026 with construction of the new buildings completed by September 2028.

## Analysis

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

### Consistency with Adopted Plans

The [Comprehensive Plan](#) (2023) recommends community mixed use (CMU) for the northern half of the site along Odana Road and employment (E) for the southern half of the site along Medical Circle. The CMU category can include an intensive mix of residential, commercial, and civic uses serving residents and visitors from the surrounding area and the community as a whole, generally at heights of up to six stories and residential densities up to 130 dwelling units per acre. The E category includes predominantly office, research and development, medical, and specialized employment, with some low-impact manufacturing. The Comprehensive Plan notes that these areas are not generally recommended for residential, though it may be considered where there is adequate access to parks, transit, and a walkable street network. There are nine city parks within one mile of the site (five of which are north of the Beltline) and the D, E, and J Metro Transit routes serve the corner of Odana Road and Whitney Way.

The [West Area Plan](#) (2024) has the same general land use recommendations. The [West Area Plan](#) recommends a maximum height of six stories within the CMU portion (per the [Comprehensive Plan](#) CMU definition) and five stories in the Employment portion of the site. Building A is six stories tall, but extends from the six-story CMU portion of the site into the five-story Employment portion, where the slope of the site exposes the lower-level parking. Building B is entirely five stories. The [West Area Plan](#) also identifies this portion of Odana Road as a “development corridor” where the majority of redevelopment in the West Area is recommended to be concentrated. Finally, the [West Area Plan](#) identifies the portion of Odana Road from this site east to Whitney Way as a “commercial core” area, where new buildings should have ground floor active commercial uses, such as retail, restaurant, service, or office uses.

Overall, staff believe that the proposal can be found to be generally consistent with the City’s adopted plans.

### Demolition Standards

In February 2025, the Common Council adopted Ordinance 25-00010 (Legistar ID [86649](#)) 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 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 applicant filed demolition permit applications for the existing buildings at 5555 Odana Road and 5534 Medical Circle. At its February 9, 2026 meeting, the Landmarks Commission found the building at 5555 Odana Road to have no known historic value (see Legislative ID [91456](#)), assigning it a Category C finding. Further processing of that demolition permit will be done administratively by City Staff. At the same meeting, the Landmarks

Commission found that the building at 5534 Medical Circle did have historic value (see Legislative ID [91459](#)), assigning a Category A finding to that building.

The Plan Commission shall not approve the demolition of 5534 Medical Circle unless it finds that two approval standards found in §28.185(6) MGO are met.

Standard 1 states, “Demolition of the existing building(s) is consistent with or will aid in the implementation of adopted plans or with the purpose statement of this section. The Plan Commission may consider how demolition and redevelopment of the property relates to the implementation of the City's adopted plans.” Per the discussion in the “Consistency with Adopted Plans” section of this report, staff believe the proposed overall redevelopment could be found by the Plan Commission to generally consistent with the City’s adopted plans.

Standard 2 states. “There are factors that are found to outweigh the public interest in preserving historic resources. Such a finding may include, but is not limited to:

- i. The building is found to be in such a deteriorated condition that it is not structurally or economically feasible to preserve or restore it.
- ii. If the building has historic value, the building has been so altered that it cannot convey its historical association or architectural significance.
- iii. There is a structural or fire hazard, unlawful use of the property, public nuisance, or other public health and safety concern that supports demolition as provided in reports from the Madison Fire Department, Police Department, and/or Building Inspection Division.”

Further, before granting a demolition approval, the Plan Commission may stipulate conditions and restrictions on the proposed demolition as deemed necessary to promote the public health, safety and general welfare of the community, and to secure compliance with the standards and requirements specified above. Conditions may include plans to mitigate the loss of the building, including but not limited to relocation, salvage of historic materials, adaptive reuse of portions of existing structures, interpretive installations at the site, or other creative mitigation measures.

In the Landmarks Commission [staff report](#), the Historic Preservation Planner noted there is no preservation file or State site file for this building. The building was originally a doctor’s office designed by noted local architect Marshall Erdman. The neo-mansard commercial building still retains good architectural integrity. Erdman designed and constructed several buildings of this style, including the extant buildings adjacent to this property at 5530 and 5520 Medical Circle. In the report, Staff recommended a Category B Finding, a finding of historic value related to the vernacular context of Madison because the building was a part of original design of Medical Circle, with the buildings designed by Marshall Erdman as a noted Madison architect. Staff noted as well that there are still other Erdman medical office buildings on Medical Circle.

However, the Landmarks Commission made a Category A finding. In the motion, the Commission found that the building was the work/product of an architect of note, Marshall Erdman, and that the medical building would be contributing to a potential Historic District for Medical Circle. The loss of one of the buildings that currently comprises a potential district would negatively impact the likelihood of creating that Historic District in the future. The motion passed by a 4-3 vote.

The Plan Commission should consider the report of the Historic Preservation Planner, the action and findings of the Landmarks Commission, and the City’s adopted plan recommendations, to determine if it is possible to find the demolition permit approval standards met. If the Plan Commission were to approve the demolition permit, the Commission would need to find and cite factors that outweigh the public interest in preserving historic

resources, including, but not limited to, those listed in Standard 2 above. While demolition of this building may affect the creation of a potential future historic district in this location, there is no current national or local historic designation for this or the surrounding buildings, nor is staff aware of any application or effort to establish a district or designation, and there are several other Erdman-designed buildings remaining on Medical Circle. On the whole, the proposed development is generally consistent with adopted plans, and it provides additional housing with affordable units. If the Plan Commission finds that the standards for demolition permits are met, it should identify the specific factors that have contributed to that finding. Conversely, if the Plan Commission finds that the standards are not met, it should detail its findings as well. If the Plan Commission does approve the requested demolition permit, Staff has recommended a condition requiring the applicant to photograph and document the building prior to demolition, a measure which may partially mitigate any loss of historical character or value.

### **Conditional Use Standards**

The applicant is requesting approval of two conditional uses in a CC-T district: for more than 60 dwelling units in mixed-use buildings per §28.061(1) MGO and a building exceeding 5 stories in height per §28.067(3)(d) MGO. Regarding conditional use approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of §28.183(6) MGO are met. Staff advises the Plan Commission that in evaluating the conditional use standards, State law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

§28.183(6) M.G.O. lists sixteen approval standards, of which not all are applicable to every conditional use. For this request, Standards 7, 9, 10, and 12-16 do not apply, while standards 1-6, 8, and 11 are applicable. Staff believes that the Plan Commission can find standards 1, 2, and 6 to be met, and this report provides additional staff analysis regarding standards 3-5, 8, and 11. This section will analyze the standards in numerical order, except for standard 8, which will be taken up last, as it relates to the discussion of UDC actions.

Staff provides the following comments regarding Conditional Use approval standard 3, which reads "The uses, values and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner." Several items of written public comment received and posted to the legislative file have pertained to shared access and parking with adjacent properties. The applicant has provided parking that is to be shared with the adjacent users and has not negatively impacted vehicular access, but has instead created better traffic flow through the block and added pedestrian. Many comments have also been received regarding the impact of the building on the Montessori school immediately to the southeast on Medical Circle, particularly related to shadows and safety issues due to the proximity of dwelling units to the school. A [shadow study](#) prepared by the applicant's architect shows that Building B, which does not require conditional use approval for its proposed height, would cast shadows during late afternoons in fall and spring on at least a portion of the Montessori playground. The [West Area Plan](#) and the current CC-T zoning allows for new development of up to five stories in the area immediately west of the school. The same shadow study shows that the taller Building A, which does require a conditional use, will likely cast late-afternoon and early evening shadows on the adjacent swimming pool during the latest part of the swim season, but have minimal shadow impacts during the bulk of the summer. Staff notes that because Building A is located directly north of the school, it would at no time cast any shadows on the playground.

Further, Staff notes that daycares, schools, and residential development, including very high residential development intensities, often exist in the same plan land use recommendations and zoning districts. As an example, five-story mixed-use buildings with up to 60 dwelling units could be built in the same general location of

either of the proposed buildings as permitted uses within the existing CC-T zoning district, needing no Plan Commission review. Similar situations of larger mixed-use or multifamily buildings in close proximity to schools, daycares, and/or playgrounds exist in numerous locations throughout Madison, amongst which staff have identified the following examples, the approvals for all of which having occurred in the past ten years.

- Red Caboose Child Care Center (2346 Winnebago St) is located on the first floor of a four-story mixed-use building and the playground is located between the two wings of the L-shaped building with the upper floor residential units overlooking playground.
- The Lapham Elementary School (1045 E Dayton St) playfield is 80 feet from the four-story Breese Apartments building and 275 feet from the 11-story mixed-use Lyric building beyond. The school building itself is 100 feet from the three-story portion of the Arden mixed-use building and 275 feet from the same building's 11-story residential tower.
- The Hawthorne Elementary School (3344 Concord Ave) playground is 170 feet from a five-story apartment building in the adjacent four-building Rise complex. The Plan Commission approved a conditional use alteration to waive district boundary screening requirements between the school and the mixed-use Rise complex in February 2026.
- The Valor, a six-story mixed-use building is located only 20 feet from the playground of Tenney Preschool & Childcare (1321 E Mifflin St). During the review process for that proposal, the neighborhood association suggested locating outdoor smoking areas at least 25 feet from the childcare center, providing adequate fencing and landscaping on borders with the center, and directing rooftop HVAC systems and parking exhaust systems away from the center.

For reference, Building A is a minimum of 51 feet and Building B is a minimum of 87 feet from the respective lot lines between the subject site and Montessori school property.

Given these considerations, Staff believes the Plan Commission can find standard 3 to be met.

Staff also provides the following comments regarding Conditional Use approval standard 4, that “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.” Early on in pre-application discussions, staff expressed concerns to the applicant team regarding site layout, the size of the initially-proposed single building spanning the whole site, and early lack of meaningfully-sized commercial and employment spaces to conform to the underlying plan recommendations. Following these conversations, the applicant made several design changes, including adding in nearly as much office/commercial space as is proposed to be demolished at 5534 Medical Circle, establishing a greater consistency with the intended development of the area. Further, the shared access and parking for adjacent users within the block enable the continued use and future redevelopment of those sites in a more substantial and flexible manner than would be possible without the shared vehicular access and parking. Finally, Staff do not have evidence suggesting that construction of either building precludes the future use or development for the adjacent sites as planned or zoned. As such, Staff believe the Plan Commission can find standard 4 to be met.

Further, Staff provides the following comments regarding Conditional Use approval standard 5, that “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.” As noted above, written public comment received by the City has referred to concerns about shared access and parking with adjacent properties. The applicant has provided parking to be shared with the adjacent users and has maintain the shared access from Odana Road. Additionally, it has created better traffic flow north and south through this large city block and added pedestrian access as well. There is

currently no vehicular or pedestrian access between Odana Road and Medical Circle. The City Traffic Engineering Division completed an expected trip generation comparison between the existing use and the proposed use by utilizing the Institute of Transportation Engineers Trip Generation Data, which is the industry standard for estimating trips. The comparison anticipates the new development would generate, at most, about 150 additional vehicle trips per day, and increase between 10 and 15 percent over the current condition, or about one percent of the traffic volume on this segment of Odana Road. Again, staff note that this increase is for the entire site, which, if developed, would allow vehicular access from both north and south, while the current condition does not allow access across the entire site. Staff believe standard 5 can be found met. Staff also note that, regarding “adequate access roads [and] internal circulation improvements for pedestrians, bicyclists...”, the Traffic Engineering Division has recommended a condition (42) in coordination with the Engineering Division and Forestry Section to reconfigure the southern driveway on Medical Circle to avoid removal of a substantial terrace tree. This condition can be satisfied during site plan review through design consultation with the aforementioned City agencies.

Staff also notes considerations with regard to the conditional use request to exceed the district maximum height, which is directly referenced in standard 11 and which states that “When applying the above standards to an application for height in excess of that allowed in the district, the Plan Commission shall consider recommendations in adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows and view; architectural quality and amenities; the relationship of the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits.” The CC-T zoning district allows new mixed-use buildings at heights of up to 5 stories and 78 feet as permitted uses, but allow the Plan Commission to approve taller buildings as conditional uses. As designed, building B does not require approval of a conditional use for additional height, but Building A, at 6 stories, does require conditional use approval.

Both the Comprehensive Plan and the West Area Plan recommend CMU (Community Mixed-Use), including new development of up to six stories, for the northernmost portion of the site, but the southern portion of the site, which includes the southernmost wing of Building A, is recommended for five stories. Further, the portion of the building that projects south into the five-story area has seven exposed stories (including the lower-level structured parking) due to the slope of the site. While the inconsistency between the proposal and the five-story plan recommendation does not necessarily preclude this standard from being found met, a portion of the building is taller than what is recommended. Careful consideration should be given to the surrounding context and resulting impacts as noted in the standard. The CMU recommendation along Odana Road generally anticipates six-story buildings to the east and west of this site. Recent approvals in the same general area include the approval of a six-story mixed-use building in 2023 at 6604 Odana Road (ID [74260](#)), which, at the time, had a six-story CMU recommendation in the Comprehensive Plan, but a five-story recommendation in the Odana Area Plan. Another six-story mixed-use building was approved at 437 Yellowstone Drive (ID [91509](#)) in February 2026, in an area with a five-story recommendation. While staff remains concerned about the precedent of approving height above what is recommended in the adopted plans, staff believes it may be possible that the Plan Commission could find standard 11 is met based on contextual considerations and the fact that the majority of the building lies within the CMU recommendation area where it is consistent with the plan recommendations regarding height.

Further, because the conditional use request is only for Building A, which is already adjacent to a recently-constructed five-story building and, according to the shadow studies, would have minimal impact on the adjacent swim club; and not for Building B, which would be the only building in this proposal to cast any shadows on the adjacent Montessori School, staff cannot identify a substantial difference between a six-story and five-story version of Building A and its impacts on surrounding properties. However, if the Plan Commission cannot find standard 11 is met outright, the Commission could consider whether lowering the southwestern wing by a story

be required for the Commission to find that standard 11 is met. Note that staff have not recommended any condition to reduce the building's height in the list of recommended conditions, and it is unknown whether this would affect the overall feasibility of the development proposal.

Finally, Staff also raises this issue in the context of conditional use standard of approval 8, which requires, in part, that "the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with existing or intended character of the area." The applicant and the applicant's architecture and design team have responded to Staff's pre-application recommendations for changes to landscaping, general building design and layout, architectural details, and building materials and staff believes the buildings as proposed better create the "environment of sustained aesthetic desirability" as required by the approval standard. Issues related to standard 8 are further discussed in the Urban Design Commission section below, but Staff believe that if the conditions of approval recommended by UDC are addressed satisfactorily, the Plan Commission can find standard 8 to be met. However, Staff note that if the demolition permit associated with this request is not approved, the subsequent level of design and redesign required for the proposal will be such that Staff believe the Plan Commission would not be able to find standard 8 to be met without referring the request to a future meeting, as well as a future UDC meeting, to review said design changes.

### **Urban Design Commission**

Regarding Condition Use approval standard 8, this proposal has been reviewed by the UDC, as it is located within Urban Design District 3 and UDC is therefore an approving body for this request. In the [staff report to the UDC](#) staff provided comments regarding building design and composition, specifically minimizing or screening blank walls, orienting the commercial space in Building B toward Medical Circle, and minimizing the visual impact of garage openings of the same; the material palette; and proposed landscaping. At its March 4, 2026 meeting, the UDC granted initial approval by unanimous consent with the following comments and conditions:

- The applicant shall revise the landscape plan to incorporate additional landscape islands along the east elevation of Building A and southern property line shared with the school, including considering full size trees, additional tree islands, reducing parking, etc.
- The fence material shall be revised to be a more organic material to be more contextually appropriate. The applicant shall provide a fence detail.
- The building design shall be revised to introduce a change in plane where the flat fiber cement panels transition to horizontal siding, including a deeper joint or larger trim.
- The building design shall be revised to incorporate additional design and detailing along the east elevation of Building A focusing on design techniques that would help to break down mass and scale of the building base, as well as differentiate between building components, similar to the other facades.
- Revise the finish at the top of the building to provide a positive termination.
- The Commission requested a site section and surrounding site contextual information to the landscape and site plans. If the applicant has conducted a shadow study, the Commission requested that it be provided.

To receive final approval for a proposal in Urban Design District 3, the applicant must return to Urban Design Commission to address the comments and conditions above. In practice, this final UDC review can occur after any necessary Plan Commission or Common Council hearings, but must occur prior to final site plan approval and issuance of any permits.

Please see Legislative [89886](#) for more information about the UDC review and action.

## **Land Division Standards**

The Certified Survey Map would create one lot, combining the two existing lots. Staff believe that the resulting lot would comply with all zoning requirements and that all applicable standards for land divisions and lots found in §16.23 MGO can be found met.

## **Public Comment**

Staff has received a large number of written public comments regarding this application that has been attached to the legislative file for this request. As additional written comment is received, it will be attached to the legislative file.

## **Conclusion**

Staff believes that the standards of approval for land divisions can be found to be met and the CSM can be forwarded to Common Council with a recommendation to approve.

Considering the recommendation of the Landmarks Commission, the Planning Division cannot definitively conclude the standards are met. To approve, the Plan Commission would need to find that the standards for demolition permits for the building at 5534 Medical Circle are met and would need to identify the specific factors that have contributed to that finding. However, if the Plan Commission finds that the standards are not met, it should detail those findings as well. In making its determination, the Plan Commission should consider the report of the Historic Preservation Planner, the action of the Landmarks Commission, the City's adopted plan recommendations, and the analysis provided above.

In the analysis above, staff have considered conditional use standards of approval 3, 4, and 5 and believe that due to the plan recommendations and changes to the design of the site in response to feedback from City Staff, the Plan Commission can find those three standards met. Further, accounting for these various considerations, including the action of the UDC, staff believe the Plan Commission can find standard 8 to be met, unless the demolition is not approved. If the demolition is not approved, the level of design and redesign required for the proposal will be such that Staff believe the Plan Commission would not be able to find standard 8 to be met as proposed.

Finally, when considering the adopted plan recommendations, the scale of the proposed building, the surrounding land uses, land use recommendations, and height recommendations, staff believes that, on balance, the Plan Commission can find that standard 11 can also be found met. Further, staff believes that all other applicable conditional use standards of approval can be found met. Staff believe that if the Plan Commission is able to find all applicable standards of approval met, it should approve the requested conditional uses. However, if the Plan Commission cannot find that the standards for demolition permits for the building at 5534 Medical Circle are met, Staff does not believe the Commission can then also find the conditional use standards met and should either place the request on file without prejudice or refer the request to a future meeting to allow the applicant time to redesign the site to retain the Medical Circle building.

## Recommendation

### Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends the following to the Plan Commission regarding the applications for 5555 Odana Road and 5534 Medical Circle. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies below.

- That if the Plan Commission can find that all applicable standards of approval for demolition permits are met for 5534 Medical Circle, the Plan Commission should approve the demolition permit. However, if the Plan Commission cannot find that all applicable standards of approval for demolition permits are met for 5534 Medical Circle, the Plan Commission should place the demolition permit request on file; and
- That if the Plan Commission can find that all applicable standards of approval for demolition permits are met for 5534 Medical Circle, that the Plan Commission finds that all applicable standards of approval for conditional uses are met and approve the requested conditional uses for the proposed buildings. However, if the Plan Commission cannot find that all applicable standards of approval for demolition permits are met for 5534 Medical Circle, the Plan Commission should refer the conditional use request to a future meeting to allow the applicant an opportunity to make the necessary changes to accommodate the 5534 Medical Circle building in the proposal; and
- That the Plan Commission find the standards for land divisions are met and forward the Certified Survey Map to Common Council with a recommendation to approve.

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

### *Land Use (Conditional Use)*

### Planning Division (Contact Colin Punt, 608-243-0455)

1. No HVAC “wall-pack” penetrations/louvers are shown on the street-facing facades. Unless specifically approved by the Plan Commission, the addition of wall packs on outward-facing walls is not included in this approval and will require approval of an alteration to this conditional use should they be proposed at a later time.
2. That, prior to the issuance of permits to raze the structure, the building at 5534 Medical Circle be professionally photographed and documented to the standards of the Wisconsin Historical Society.

### Zoning Administrator (Contact Jenny Kirchgatter, 608-266-4429)

3. The project site lies within Wellhead Protection District 12. Future commercial uses will be subject to review by the Water Utility. All uses in Zones A and B of any Wellhead Protection District shall be approved by the Water Utility General Manger or his/her designee. A use may be approved with conditions. Approval by the Water Utility General Manager or his/her designee is in addition to all other approvals required for the proposed use.
4. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 85%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.

5. Verify that the vehicle and bicycle parking counts are shown consistently on the site information tables and through the plan set.
6. Provide electric vehicle ready stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 20% of the parking stalls (42 stalls) must be electric vehicle ready. Add the count of EV ready stalls to the parking summary and identify the locations of the electric vehicle ready stalls on the plans.
7. 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 154 resident bicycle stalls are required for Building A plus a minimum of 15 short-term guest stalls. A minimum of 73 resident bicycle stalls are required for Building B plus a minimum of 7 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. 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.
8. Bicycle parking for the commercial tenant spaces shall comply with the requirements of MGO Sections 28.141(4) (g) and 28.141(11) and will be reviewed prior to obtaining zoning approval for each use. Provide a minimum of 2 short-term bicycle parking stalls for Building A and 3 bicycle stalls for Building B located in a convenient and visible area on a paved or pervious surface. Bicycle parking shall be located at least as close as the closest nonaccessible automobile parking and within one hundred (100) feet of a principal entrance.
9. 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.
10. Provide details showing that the primary street façade meets the door and window opening requirements of Section 28.060(2)(d). For nonresidential uses at ground floor level, windows and doors or other openings shall comprise at least sixty percent (60%) of the length and at least forty percent (40%) of the area of the ground floor of the primary street facade. At least fifty percent (50%) of windows on the primary street facade shall have the lower sill within three (3) feet of grade. 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.
11. 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.
12. 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 and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

**City Engineering Division** (Contact Kathleen Kane, 608-266-4098)

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| <p>13. Due to sanitary sewer capacity constraints, applicant shall revise utility plans to remove the proposed sanitary sewer connection to the Odana Road sanitary sewer and rather connect both buildings to the sewer</p> |
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located in Medical Circle. Applicant is instructed to install manhole structure in Medical Circle right of way. All sanitary sewer in vacated Medical Circle right of way will become private.

14. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking is adjacent to a street low point. The applicant shall provide at a minimum of one (1) foot of rise from the adjacent back of walk in the driveway before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation. 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.
15. 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.
16. The developer shall provide documentation that stormsewer overflow during a 100-year event shall overflow to Medical Circle or other public ROW and not onto other adjacent private property.
17. 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.
18. Construct sidewalk, terrace, curb and gutter, and pavement along the site's frontage on Odana Road and Medical Circle per plans approved by City Engineer.
19. 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))
20. 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))
21. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
22. 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.
23. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
24. 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.

25. 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)
26. 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)
27. 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](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto: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.
28. 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.

29. 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](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West).

**City Engineering Division – Mapping Section** (Contact Jeff Quamme, 608-266-4097)

30. The part of this site within vacated Medical Circle is subject to an Easement for All Public and Private Utilities. A new manhole proposed to be constructed within the existing public right of way, making the sewer a private lateral within this site. If approved, the City of Madison shall release the reserved easement rights upon the construction and acceptance of the new manhole. Contact Jeff Quamme ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)) to coordinate and set up a Real Estate project to release the easement rights. The site plans shall show the easement and note if it is to be released upon the construction of the new manhole in the public right of way.
31. The 6' wide Public Utility Easement over the north side of existing Lot 5 of Medical Heights shall be released by separate document prepared by City Office of Real Estate Services. Contact Jeff Quamme of Engineering Mapping ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com), 608-266-4097) to coordinate the Real Estate project, and associated information and fees required. The Applicant is responsible to obtain releases from the other utilities serving this area. The release shall be recorded prior to final site plan sign off.
32. Show and label clearly the proposed Public Utility Easements to be granted by the pending CSM and label them accordingly.
33. With the proposed new public manhole in the Medical Circle right of way, the resultant lateral serving this site will cross the southwest corner of the parcel at 5530 Medical Circle. Provide a draft of the necessary Private Sanitary Sewer Easement for review. The Easement shall be recorded prior to final site plan sign off.
34. The Second Joint Parking Agreement per Document No 2080845 parking areas are affected by this proposed development. Note that this agreement shall be amended or released for this development. Provide drafts of the release / amendment for review and shall be executed or recorded prior to final site plan sign off.
35. The Driveway Easement Agreement per Document No. 2371259 shall be amended or restated as necessary to account for the new driveway connection to Medical Circle and the additional lands benefitted by the common access areas. Provide a draft for review. The final document shall be recorded prior to final site plan sign off.
36. The Concrete Flume Easement per Doc No 2348893, amended by Document No 5637510 shall be amended a second time to address the proposed storm sewer pipe and inlet accepting the drainage from the flume. The amendment shall address the responsibilities for the construction, maintenance and repair of the new proposed pipe. The draft shall be provided for review and recorded prior to final site plan sign off.

37. The 5555 Odana Rd & 5534 Medical Cir addresses will be inactivated and archived with the demolition of the existing buildings.  
The address of Building A is 5559 Odana Rd.  
The address of Building B is 5542 Medical Cir.  
Additional address will be determined when an addressing plan is created.  
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.
38. 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.
39. Submit a site plan and a complete set of building Floor Plans (for each individual building) 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 an interior and building addressing plan for the proposed multi-building complex. Each building page shall include a key locator and north arrow. Also, include a per floor unit matrix for the 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.

**Traffic Engineering Division** (Contact Sean Malloy, 608-266-5987)

40. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a minimum six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance, where applicable, along their site's frontage of Odana Road.
41. 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 and also provide sufficient space to preserve existing street trees, where applicable, along their site's frontage of Medical Circle.
42. The applicant shall work with the Traffic Engineering, Engineering and Forestry Divisions on reducing the impact of the new sidewalk to the existing street trees on Medical Circle as much as possible.
43. 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.

44. 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.
45. 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.
46. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
47. The applicant shall show the dimensions for the proposed class III driveways including the width of the drive entrance, width of the flares, and width of the curb cut.
48. 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.
49. Applicant shall submit for review a Commercial Delivery Plan. This plan will include times, vehicle size, use of loading zones and all related turning movements.
50. The driveway slope to the underground parking for the south entry to Building A is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
51. Include a parking plan demonstrating how specific stalls, to be used by the commercial site, will be reserved. Include any signage to be used to achieve this goal in the submitted plans.
52. Some of the interior parking area is insufficiently labeled/dimensioned for a proper review. If the parking does not meet MGO 10.08 the applicant can expect to be required to make major alteration which may or may not impact structural elements of this site.
53. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
54. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
55. 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.
56. All walkways within the site shall be compliant with Americans with Disabilities Act (ADA) for accessible walks.

57. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Andrew Oliver, (267-1979, aoliver@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
58. 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.
59. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.
60. The applicant shall maintain access to properties to the east including the West Side Swim Club via the existing driveway directly east of the project for the duration of the project
61. The applicant(s) shall maintain a 5 foot wide, Americans with Disabilities Act (ADA) compliant, pedestrian walkway for the duration of the project on all street frontages classified as a collector or higher. The applicant shall also maintain a 5 foot wide bicycle lane for the duration of the project on all street frontages with existing bicycle facilities. Exceptions to this requirement may be granted by Traffic Engineering on a limited term basis if and when the applicant can show a public safety concern and they also provide a clear date when the pedestrian/bicycle facilities are to be restored. All closures shall be designed by the applicant, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD), to be submitted and approved by Traffic Engineering.
62. "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.

**Parks Division** (Contact Izzy Wilde, 608-261-9671)

63. 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 west Park-Infrastructure Impact Fee district. The Park Impact Fee ID# for this project is 25097. Visit <https://www.cityofmadison.com/parks/about/impactFees.cfm> for information about Park Impact Fee rates, calculations, and payment process.

**Forestry Section** (Contact Zachary Eckberg, 608-266-4816)

64. 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 (diamater 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.

65. 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.
66. City Forestry will issue a street tree removal permit for (X) tree(s) (dbh) diameter (variety) tree due to (reason) at (location). The Contractor shall contact City Forestry at (608)266-4816 to obtain permit. Add as a note on both the demolition and street tree plan set.
67. 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.
68. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within (DBH in 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/engineering/documents/standard-specifications/2026/CompleteSpecBook.pdf> Add as a note on the site, grading, utility, demolition and street tree plan sets. Note: each individual tree may have it's own unique tree protection zone
69. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/engineering/documents/standardspecifications/2026/CompleteSpecBook.pdf>) 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 (DBH in feet) of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets. Note: each individual tree may have it's own unique tree protection zone
70. 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 (DBH in 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. Note: each individual tree may have it's own unique tree protection zone
71. 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.
72. 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.

73. 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.
74. 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, 608-261-9835)

75. This property is in a Wellhead Protection District–Zone (WP-12). Applicant shall provide the Madison Water Utility with confirmation that no hazardous and/or toxic materials will be stored on site, and that all proposed uses of this site comply with the City of Madison Wellhead Protection Ordinance. Any future change in use for this property will require review by the Madison Water Utility General Manager or his designated representative. Contact Sarah Scroggins at [Sscroggins@madisonwater.org](mailto:Sscroggins@madisonwater.org) for additional information, including a summary of the submittal requirements.
76. Ductile Iron is the only approved water service material approved for use in the Public Right of Way. Update Utility Plan to indicate approved material.

77. 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, 608-261-4289)

78. Metro Transit operates daily all-day transit service along Odana Road adjacent this property - with trips at least every 60 minutes (every 30 minutes or less during the day on weekdays). Metro Transit operates additional daily all-day transit service along Whitney Way near this property - with trips at least every 60 minutes (every 30 minutes or less during the day on weekdays).

79. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 96 Weekday & 52 Weekend. Please contact Metro Transit if additional analysis would be of interest.

**Parking Utility** (Contact Trent Schultz, 608-246-5806)

80. The applicant shall receive final Transportation Demand Management (TDM) Plan approval. TDM Plan review fees will be required as part of final site plan review sign off.

81. 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 Fire Department and City Assessor have reviewed this request and recommended no conditions of approval.*

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**Land Division (Certified Survey Map)**

**City Engineering Division** (Contact Kathleen Kane, 608-266-4098)

1. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement.
2. 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))
3. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at 608-261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)

**City Engineering Division – Mapping Section** (Contact Jeff Quamme, 608-266-4097)

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| 4. Supreme Court Centre Condominium has been removed. Provide an updated title report. |
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5. The west end of the Public Sidewalk and Bike Path easement shall not bend, but shall be extended to the property line to allow a future sidewalk to continue straight to the west.
  6. The portion of vacated Medical Circle within this CSM shall be dimensioned and a note added that the area is subject to a reserved Easement for All Public and Private Utilities per Document No. 1341365. Note to applicant: this easement may be released by the City via separate document upon the conversion of the sewer within the easement to private lateral. Any release shall be prepared by City Office of Real Estate Services. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) to coordinate the Real Estate project, and associated information and fees required.

7. The 6' wide Public Utility Easement over the north side of existing Lot 5 of Medical Heights shall be noted to be released by separate document. The City release shall be prepared by City Office of Real Estate Services. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) to coordinate the Real Estate project, and associated information and fees required. The Applicant is responsible to obtain releases from the other utilities serving this area.
8. Revise the 10' Electric Easements to being Public Utility Easements. Add standard note for public utility easements: Public Utility Easements as herein set forth are for the use by Public Bodies and Private Public Utilities having to right to serve the area.
9. Show the limits and label of the 25' Access Easement per CSM 2567, Doc No. 1536975 adjacent to the easterly property line of this site that benefits this site and the two adjacent parcels.
10. Correct the Driveway Easement per Doc No 2371258 to 2371259. The Driveway Easement Agreement shall be amended or restated as necessary to account for the new connection to Medical Circle and the additional lands benefitted by the common access areas. Provide a draft for review.
11. This site benefits from a 30' Wide Common Driveway Easement along the south 30 feet of the properties to the east per Document No 1027132, amended by Docs 1922512 and 2008960. It extends east to S Whitney Way from the southeasterly corner of this site. This shall be shown and noted on the CSM. Additionally, this site is benefitted by an Ingress and Egress easement per CSM 3988 in the southeasterly corner of Lot 2 of that CSM. A note shall be added to this CSM that it benefits from that easement.
12. The Second Joint Parking Agreement per Document No 2080845 is noted adequately on the CSM. Note that this agreement will need to be amended or released for the future planned development within this proposed CSM.
13. Add text to the Concrete Flume Easement that it was amended by Document No 5637510.
14. Label and show the limits of the 10' wide MG&E Underground Electric Easement Per Document No. 1555603
15. Show and label the 10' Wide Electric Easement per Doc No 1921781 whose last leg abuts the east line of this CSM. Generally in the same location as MG&E Easement per Doc No. 2116512.
16. Show the 10' Wide MG&E Underground Electric Easement area that is missing over the northerly 10 feet of this CSM, adjacent to Odana Road.
17. The new Public Utility Easement areas shall exclude already existing Public Utility Easement areas.
18. Provide signed and dated sheets. 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 Jeff Quamme, City Engineering (jrquamme@cityofmadison.com)
19. The Northings and eastings on the CSM for the section corners are reversed. 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 Jeff Quamme ([jrqamme@cityofmadison.com](mailto:jrqamme@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. Conditions of approval noted herein are not intended to be construed as a review determining full compliance with City of Madison Ordinances and State of Wisconsin Statutes. The licensed professional preparing the land division is fully responsible for full compliance with all Ordinances and Statutes regulating this proposed land division.
22. Correct the sheet references for the Sidewalk and Bike Path Easements from sheet 6 to sheet 7.
23. Provide street widths of adjacent right of ways as required.
24. This 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.
25. 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.

**Traffic Engineering Division** (Contact Sean Malloy, 608-266-5987)

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| <p>26. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a minimum six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance, where applicable, along their site's frontage of Odana Road.</p> |
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27. 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 Medical Circle.
28. The applicant shall work with the Traffic Engineering, Engineering and Forestry Divisions on reducing the impact of the new sidewalk to the existing street trees on Medical Circle as much as possible.

**Parks Division** (Contact Izzy Wilde, 608-261-9671)

29. 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 West Park-Infrastructure Impact Fee district. The Park Impact Fee ID# for this project is 25097. Visit <https://www.cityofmadison.com/parks/about/impactFees.cfm> for information about Park Impact Fee rates, calculations, and payment process.
30. "LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.
31. Prior to sign off on the CSM the applicant shall execute a declaration of conditions and covenants for impact fees. Requests can be emailed to [parkimpactfees@cityofmadison.com](mailto:parkimpactfees@cityofmadison.com).

**Water Utility** (Contact Jeff Belshaw, 608-261-9835)

32. The following information shall be noted on the CSM prior to final approval: The properties are located within Wellhead Protection District—Zone (WP-12). 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.

**Office of Real Estate Services** (Contact Melissa Hermann, 608-264-9297)

33. 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.
34. 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).
35. 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.
36. 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...

37. 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).
38. 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.
39. Madison Common Council Certificate: This certificate is required when dedication of land and the conveyance of rights in land are required. For parcels located within the City of Madison, a Madison Common Council Certificate shall appear as follows:

Resolved that this certified survey map located in the City of Madison was hereby approved by Enactment Number \_\_\_\_\_, File ID Number \_\_\_\_\_, adopted on the \_\_\_\_ day of \_\_\_\_\_, 202\_\_, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2025

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

40. City of Madison Plan Commission Certificate: Pursuant to Madison City Ordinance Section 16.23(5)(b)(5) and Wis. Stats. 236.21(2)(a), all CSM's that are subject to the review and approval of the City of Madison shall contain the following certificate of approval:

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

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Matthew Wachter, Secretary of the Plan Commission

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

Office of the Register of Deeds  
Dane County, Wisconsin  
Received for recording on \_\_\_\_\_, 20\_\_ at \_\_\_\_ o'clock \_\_M, and  
recorded in Volume \_\_\_\_ of CSMs on page(s) \_\_\_\_\_, Document No. \_\_\_\_\_.

\_\_\_\_\_  
Kristi Chlebowski, Register of Deeds

42. Pursuant to Madison City Ordinance Section 16.23(4)(c)(1), the owner shall furnish an updated title report to ORES via email to Melissa Hermann (mhermann@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (xx-xx-xx) submitted with the CSM application and include all associated documents that have been recorded since the initial title report.

43. 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.
44. Create notes that define the purpose of and the ownership of (whether public or private) all outlots. The note for an outlot dedicated to the public shall say: "Dedicated to the public for \_\_\_\_\_ purposes."

*The Planning Division, Office of the Zoning Administrator, Forestry Section, Water Utility, Metro Transit, City Assessor, and Parking Utility have reviewed this request and recommended no conditions of approval.*