

# PLANNING DIVISION STAFF REPORT

June 13, 2022

PREPARED FOR THE PLAN COMMISSION



**Project Address:** 222-232 East Olin Avenue (District 14 – Alder Carter)

**Application Type:** Zoning Map Amendment, Conditional Use

**Legistar File ID #** [70781](#), [70930](#), [70933](#), [71222](#)

**Prepared By:** Colin Punt, Planning Division

Report includes comments from other City agencies, as noted.

**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant:** Lance McGrath; McGrath Property Group; 730 Williamson Street, Ste 150; Madison, WI 53703

**Requested Action:** Approval of a zoning map amendment to change the zoning at 222-232 East Olin Avenue from SE (Suburban Employment) District to TE (Traditional Employment) District, approval of a demolition permit for a restaurant building, approval of a Certified Survey Map to create two lots, and approval of the following conditional uses:

- Dwelling units in mixed-use buildings [§28.082(1) MGO]
- Food and beverage uses [§28.082(1) MGO]
- Building heights exceeding the maximum height may be allowed with conditional use approval. [§28.084(3)(c) MGO]

**Proposal Summary:** The applicant is seeking approvals to demolish a restaurant building and construct a twelve-story mixed-use building with 13,500 sq. ft. of commercial space and 192 apartments, with a CSM to create two lots.

**Applicable Regulations & Standards:** Standards for zoning map amendments are found in §28.182(6) MGO. Standards of approval for conditional uses are found in §28.183(6) MGO. Standards of approval for demolition permits are found in §28.185(7) MGO. The process and standards for certified survey maps are found in §16.23 MGO.

**Review Required By:** Urban Design Commission, Plan Commission, Common Council

**Summary Recommendations:** The Planning Division recommends the following to the Plan Commission regarding the applications for 222-232 East Olin Avenue:

- That the Plan Commission find that the standards are met to **approve** the demolition permit to raze a restaurant building at 232 East Olin Avenue.
- That the Plan Commission forward Zoning Map Amendment Section 28.022 – 00565, changing the zoning of properties located at 222-232 East Olin Avenue from SE to TE, to the Common Council with a recommendation of **approval**.
- That the Plan Commission find that the conditional use standards are met to **approve** the construction of a twelve-story mixed-use building with 13,500 sq. ft. of commercial space and 192 apartments, subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.
- That the Plan Commission forward associated two-lot Certified Survey Map to the Common Council with a recommendation of **approval** subject to the conditions reviewing agencies beginning on page 18.

## Background Information

**Parcel Location:** The subject site is 1.34-acre (58,404 sq ft) parcel located northwest of the intersection of John Nolen Drive and East Olin Avenue. The site is within Aldermanic District 14 (Alder Carter), Urban Design District #1, and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The site, zoned SE (Suburban Employment District), is currently developed with two restaurant buildings. The northwesterly building, the “Wonder Bar,” addressed 222 East Olin Avenue, is a two-story, 3,358-square foot building constructed in 1930. The southeasterly building, the “Coliseum Bar,” addressed 232 East Olin Avenue, is a two-story, 11,698-square foot building constructed in 1995. In addition to a large outdoor eating area, the majority of the site is paved for vehicle parking.

### Surrounding Land Uses and Zoning:

North: A Wisconsin-Southern Railroad corridor, zoned CN (Conservancy District);

West: A two-story office building, zoned SE (Suburban Employment District);

South: Across East Olin Avenue, the Alliant Energy Center, located within the Town of Madison; and

East: Across John Nolen Drive, Olin-Turville Park, zoned PR (Parks and Recreation District).

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2018) recommends Employment (E) land uses for the site. The [South Madison Plan](#) (2022) recommends Regional Mixed Use (RMU) for the site.

**Zoning Summary:** The subject property is proposed to be zoned TE (Traditional Employment District):

| Requirements                        | Required                               | Proposed                                      |
|-------------------------------------|----------------------------------------|-----------------------------------------------|
| Lot Area (sq. ft.)                  | 6,000 sq. ft.                          | Lot 1: 56,165 sq. ft.<br>Lot 2: 7,610 sq. ft. |
| Lot Width                           | 50'                                    | Lot 1: 313'<br>Lot 2: 50.13'                  |
| Front Yard Setback                  | 0' or 5'                               | 0' with no-build easement (2)                 |
| Side Yard Setback: Street side yard | 0' or 5'                               | Southeast side yard: Adequate                 |
| Side Yard Setback: Other cases      | None unless needed for access          | Northwest side yard: Adequate                 |
| Rear Yard Setback                   | Lesser of 20% lot depth or 20'         | Adequate                                      |
| Usable Open Space                   | 20 sq. ft./ bedroom<br>(5,140 sq. ft.) | 21,836 sq. ft.                                |
| Maximum Lot Coverage                | 85%                                    | 83%                                           |
| Minimum Building Height             | 22' measured to building cornice       | 12 stories                                    |
| Maximum Building Height             | 5 stories/ 68'                         | 12 stories                                    |

| Site Design           | Required                                                                                                                                                                                                                       | Proposed                                      |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| Number Parking Stalls | <b>Multi-family dwelling:</b> 1 per dwelling (192)<br><b>General retail; service business; office:</b> 1 per 400 sq. ft. floor area (34)<br><b>Restaurant; restaurant-tavern:</b> 15% of capacity of persons (TBD) (226 total) | 202 garage<br>23 surface<br>(225 total) (6,7) |
| Accessible Stalls     | Yes                                                                                                                                                                                                                            | 7                                             |
| Loading               | 1 (10' x 50')                                                                                                                                                                                                                  | 1 (10' x 50')                                 |

|                            |                                                                                                                                                                                                                                                                                                           |                                               |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| Number Bike Parking Stalls | <b>Multi-family dwelling:</b> 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (193)<br>1 guest space per 10 units (19)<br><b>General retail; service business; office:</b> 1 per 2,000 sq. ft. floor area (7)<br><b>Restaurant; restaurant-tavern:</b> 5% of capacity of persons (TBD) (219 total) | 239 garage<br>14 surface<br>(253 total) (7-9) |
| Landscaping and Screening  | Yes                                                                                                                                                                                                                                                                                                       | Yes (10)                                      |
| Lighting                   | Yes                                                                                                                                                                                                                                                                                                       | Yes                                           |
| Building Forms             | Yes                                                                                                                                                                                                                                                                                                       | Flex building (11)                            |

|                                    |                                                                  |
|------------------------------------|------------------------------------------------------------------|
| <b>Other Critical Zoning Items</b> | Urban Design (UDD #1), Barrier Free (ILHR 69), Utility Easements |
|------------------------------------|------------------------------------------------------------------|

*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 approval of a zoning map amendment changing the zoning from SE (Suburban Employment District) to TE (Traditional Employment District), a demolition permit to demolish a restaurant building, and conditional uses to construct an twelve-story mixed-use building with 13,500 sq. ft. of commercial space, 192 apartments, and 225 parking stalls.

The proposal includes demolition of the Coliseum Bar, constructed in 1995, at 232 East Olin Avenue. The Wonder Bar, constructed in 1930 and located at 222 East Olin Avenue, is proposed to remain. The wooden addition at the rear of the Wonder Bar will be removed during remodeling and renovation of the building. Much of the existing site is predominantly paved as an asphalt parking lot.

The proposed building twelve-story building occupies most of the southern two-thirds of the site, with the Wonder Bar building to remain. The proposed 12-story building reaches a height of approximately 124 feet at the parapet and approximately 142 feet to the top of the elevator overrun. The first floor includes two large subdividable commercial tenant spaces along the south and west elevations. The applicant does not believe the commercial spaces will be occupied by restaurants and expects to market them to offices or retailers. Separate entries for commercial spaces with walkways connecting to the public sidewalk on Olin Avenue. Concrete patios on the south end of the building facing the intersection for use by tenants of the commercial spaces. A residential lobby and amenity space, as well as back-of-house spaces are located in the northwest corner of the building. Much of the eastern half of the first floor is structured parking, with garage door access on the northern facade. A large bicycle parking room with space for 204 bicycles is centrally located between the commercial spaces and vehicle parking. The second and third floors house structured vehicle parking. A total of 202 structured vehicle parking stalls are provided on three levels. A residential tower extends above the third floor up to the twelfth floor. The 192 residential units include eight efficiencies, 122 one-bedroom units, 59 two-bedroom units, and three three-bedroom units. An outdoor resident terrace is also located above the third floor. A mechanical penthouse, elevator overruns, and cooling towers with screening fence are all located above the twelfth floor room.

The predominant proposed façade materials are light-colored brick and vertically-slatted metal panels. The three lower levels of the building podium are predominantly clad in a buff-color brick veneer and aluminum cladding with weathered zinc and metallic silver finishes. Aluminum storefront units, and additional metal cladding, and spandrel glass are used as accent materials. The upper nine floors in the residential tower are predominantly clad in more aluminum cladding with dark gray and copper anodized finishes. The tower massing is composed of three horizontal volumes delineated by the orientation of cladding materials. Accent materials for the tower element include fiberglass windows and aluminum balcony rails. Balconies are placed on all elevations of the tower element. Partially inset balconies are located on the long elevations, with elongated balconies located at the corners.

Surface parking for 23 vehicles is located in front of and behind the Wonder Bar building. Vehicle delivery and a drop-off zone for the new building is served by a one-way-in driveway at the northwest corner of the building. A two-way driveway is located near the northwest corner of the site between the proposed building and the existing Wonder Bar. A total of 14 outdoor short-term bicycle parking stalls are distributed in several locations across the site. Depending on stormwater management needs, the applicant may include an underground wet detention tank under the main driveway and loading area at the western side of the site. Plans also show a long linear rain garden at the southeast corner of the site and a dog run behind the building.

Landscaping includes a number of deciduous and evergreen shrubs and perennials around the base of the building. Understory trees and a few canopy trees are located around the edges of the site and within the surface parking lot, including eight sugar maples to be planted along the rear property line in front of the John Nolen Drive parking deck elevation. The outdoor terrace above the parking deck, northeast of the residential tower, is landscaped with a variety of deciduous and evergreen shrubs and perennials and some small understory trees. The terrace also features grilling and seating areas, as well as a fire pit.

The applicant has noted the roof may not provide enough space for photovoltaic panels, but is evaluation options for making the building “solar ready” by providing conduits, electrical improvements, and structural upgrades.

A certified survey map creating lots for the Wonder Bar and the proposed building has also been submitted. Vehicular, pedestrian, and utility cross-lot easements are proposed and the letter of intent states the applicant intends to maintain ownership of both lots.

The applicant has indicated they intend to begin construction in September 2022, with completion by spring 2024.

## Analysis & Conclusion

This request is subject to the standards for zoning map amendments, demolition permits, and conditional uses. This section begins with a summary of adopted plan recommendations, followed by conditional use standards, and finally a conclusion.

### Consistency with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Employment (E) land uses for the site. Employment areas intended as predominantly office, research and development, medical, and specialized employment, with some low-impact manufacturing. Employment areas are not generally recommended for residential uses, though such uses may be considered as part of a conditional use under relevant zoning districts. While there are no fixed limits on size of an establishment or development intensity within E areas, all uses should be compatible with the density and

scale of surrounding development. The intensity of development may vary significantly depending on the location and surrounding context.

The [South Madison Plan](#) (2022) recommends a change to the Generalized Future Land Use map in this area from E to Regional Mixed Use (RMU). The RMU category includes high-intensity activity centers supporting a variety of multifamily housing options and commercial activity serving the needs of the region. While the RMU category would generally employ a high-intensity mixed-use/commercial zoning district such as RMX, the proposed TE district will permit a similar type and scale of development consistent with the plan recommendations. These areas typically include large-scale sites supportive of multistory buildings up to twelve stories in height, which is also the recommended maximum height in the [South Madison Plan](#). For this location, the plan also specifically states that any redevelopment in the Olin Triangle should include high-quality, four-sided design given the considerable visibility of properties within the Triangle, particularly from John Nolen Drive. New construction adjacent to Wingra Creek should activate the creek and adjoining bike trail.

Staff notes that across East Olin Avenue to the south, the generalized future land use map includes a map note that states that "The Alliant Energy Center is shown as SI, but may include restaurant, entertainment, and hotel uses if a Master Plan for the area that includes those uses is adopted by the City. Such a Plan may include land use changes to surrounding properties, such as the Employment-designated properties to the north." While the City of Madison has not adopted Dane County's [Alliant Energy Center \(AEC\) Master Plan](#), it is very likely that the future of the AEC will include a mix of higher-intensity uses. While the proposed building is taller than any other in this vicinity, staff believes that the proposal could be found compatible with the AEC Campus and the surrounding area for both the short-term and long-term.

When considering the recommendations of the applicable plans and the recent adoption of the [South Madison Plan](#), staff believes the proposal can be found consistent with adopted plans.

### **Demolition Permit Standards**

In order to approve the demolition requests, M.G.O §28.185(7) requires that the Plan Commission must find that the requested demolitions and proposed use are compatible with the purpose of the demolition section of the zoning code and the intent and purpose of the zoning district. The proposed TE (Traditional Employment) district is established to encourage a broad range of employment activities, taking advantage of the varied transportation options and proximity to urban activities and cultural amenities found in many Traditional Employment locations. Residential uses are of secondary importance. The district is also intended to encourage businesses with the potential to provide significant numbers of living-wage jobs that contribute to a sustainable economy and a strong tax base and support the continued use or adaptive re-use of traditional industrial buildings for a variety of purposes.

The demolition standards state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties and the reasonableness of efforts to relocate the building. Furthermore, the proposed use following demolition or removal should be compatible with adopted neighborhood plans and the [Comprehensive Plan](#). Plan consistency considerations are described above. The demolition standards also state that the Plan Commission shall consider the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission. No preservation file exists for the building at 232 East Olin Avenue (Coliseum Bar). At the April 19, 2021 Landmarks Commission meeting, the Commission recommended to the Plan Commission that the building at 232 East Olin Avenue has no known historical value.

Staff believe the demolition permit standards for the requested demolition permit at 232 East Olin Avenue can be found met.

### **Zoning Map Amendment Standards**

The Zoning Map Amendment standards, found in 28.182(6), M.G.O. state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety, and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan." While the proposal is to construct a mixed-use building with an office component, staff notes that the rezoning request itself is from one designated employment district to another. As noted above, while the RMU land use category would generally employ a high-intensity mixed-use/commercial zoning district such as RMX, the proposed TE district will permit a similar type and scale of development consistent with the plan recommendations. As such, staff believes it is possible to find that this aspect of the request is consistent with the Comprehensive Plan and the recently adopted South Madison Plan.

As noted in the South Madison Plan, there is a planned future multi-use path along the project site's northeast side that is intended to provide additional connectivity from the Wingra Creek Path to the intersection of John Nolen Drive and Olin Avenue. The proposal shows a public easement beginning at the northernmost corner of the site, which may run to the Wingra Creek Path at a future date if the adjoining properties redevelop. A smaller private path extends from that point on the subject site along the John Nolen Drive façade of the building. To be consistent with the South Madison Plan, staff have recommended that the applicant realign the path for greater usability and extend it to the property line to set the stage for future connections.

### **Conditional Use Standards**

The applicant is requesting approval of three conditional uses within the TE district to construct the proposed development. In regards to 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. With regards to the City's adopted plan recommendations, as mentioned above, the Planning Division believes that the proposal can be found consistent with the recommendations of the Comprehensive Plan and South Madison Plan. Staff believes that, subject to the conditions included below, all applicable conditional use approval standards can be found met.

Staff have comments regarding Conditional Use approval standards five, nine, and twelve.

Conditional Use approval standard five states: "Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit and other necessary site improvements have been or are being provided." Staff raise specific concerns regarding pedestrian access within and around the site. Olin-Turville Park and the Capital City Trail, a significant multi-use path leading to downtown and connecting to the regional trail network are both located across John Nolen Drive, a major urban highway. To better provide safe pedestrian and bicycle access, the Traffic Engineering Division has recommended two conditions of approval: one requiring a \$40,000 deposit for the installation of pedestrian improvements at the John Nolen/Olin intersection and improvements to Olin Avenue, and one providing an easement at the north edge of the site to allow for future path connections to the Wingra Creek Bike Path and Capital City Trail beyond.

To further address traffic generation and management, the Traffic Engineering Division has also recommended that a Traffic Demand Management Plan (TDMP) be submitted for review by staff prior to agency sign-off and permit issuance.

Conditional Use standard and approval twelve states: "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 TE (and SE) zoning district allows heights above five stories with conditional use approval, with no absolute maximum. The applicable adopted plans recommend a maximum height of twelve stories at this location.

Also regarding standard twelve, as well as standard nine, which requires that the Plan Commission finds that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the intent and purpose of the zoning district. Given the surrounding context, the project site has multiple at-grade public "faces," including visibility from John Nolen Drive, a potential future multi-use path on the northeast side of the site, the Olin Avenue street frontage, as well as the interconnectivity shared with the adjacent former Wonder Bar site. Further, the proposal is highly visible, located along a major corridor at the culmination of E Olin Avenue and John Nolen Drive. As such the proposed development will be a highly visible part of the cityscape as viewed from multiple vantage points. In such situations, large unbroken exterior facades should be avoided and all building elevations are of importance and should be carefully designed. Thus, buildings should avoid blank facades. The overall proposed building design and material palette are relatively simple, primarily comprised of multiple types of metal panel and masonry materials; but the building does, for the most part, present as "four-sided." While Staff had initially raised concerns regarding the three lower stories of the John Nolen Drive elevation, much of which is an unarticulated wall, the Urban Design Commission approved the current condition and did not provide comments or conditions regarding that elevation. Finally, landscaping should be functional as well as decorative, provide year-round screening, interest, and color especially for areas that are highly visible from John Nolen Drive and which complement the building forms. Related to all the specified design concerns, the Urban Design Commission has granted final approval to this proposal at its June 1, 2022 meeting, as detailed below.

Staff believe that, on the whole, the standards for conditional uses can be found met.

### **Urban Design Commission**

The site of this proposal is within Urban Design District 1 (UDD 1). The design requirements and recommendations for UDD 1 are found in §33.24(8)(c) MGO. At its June 1, 2022, meeting, the Urban Design Commission granted the proposal final approval with the following conditions, to be approved at by the UDC secretary during final sign-off:

- Revisit the railing options based on Commission comments.
- Consider 6" green roof tray systems with more biodiversity in plant selection.
- Consider larger planters on the fourth floor balcony.
- Look at improving the traffic flow sequence of the drive aisle.
- Reexamine the hardscape and landscape at the front entrance.

## Conclusion

When considering the report of the Landmarks Commission and intent of the district, Staff believes that the Plan Commission can find the standards of approval for demolition permits to be met. In consideration of the broad Zoning Map Amendment standards, staff believes that rezoning the property from the Suburban Employment to the Traditional Employment district can meet applicable standards. In considering the three requested conditional uses, staff recognizes the redevelopment potential of the surrounding area and recommendations of the South Madison Plan. Considering the site context within the built surroundings adjacent to a large roadway and institutional area, staff believes that the conditional use standards of approval can be found met with the recommended conditions.

At time of report writing, Staff has not received any written comments from the public regarding this land use application.

## Recommendation

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

The Planning Division recommends the following to the Plan Commission regarding the applications for 222-232 East Olin Avenue:

- That the Plan Commission find that the standards are met to **approve** the demolition permit to raze a restaurant building at 232 East Olin Avenue.
- That the Plan Commission forward Zoning Map Amendment Section 28.022 – 00565, changing the zoning of properties located at 222-232 East Olin Avenue from SE to TE, to the Common Council with a recommendation of **approval**.
- That the Plan Commission find that the conditional use standards are met to **approve** the construction of a twelve-story mixed-use building with 13,500 sq. ft. of commercial space and 192 apartments, subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies below.
- That the Plan Commission forward associated two-lot Certified Survey Map to the Common Council with a recommendation of **approval** subject to the conditions reviewing agencies beginning on page 18.

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

### *Conditional Use Requests*

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

1. The applicant shall realign the path along the northeast property line to smooth out directional changes and provide the opportunity to extend the path onto the City right-of-way to the south of the site with the final details to be approved by the Planning, Engineering, and Traffic Divisions.

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

2. Section 28.185(9) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at [streets@cityofmadison.com](mailto:streets@cityofmadison.com) prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9) shall submit documents showing



compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.

3. Show the distance between the curb and property line to verify the front yard setback requirement. The front yard setback is 0' if the distance between the curb and property line is equal to or greater than 15'. A no-build easement may be used to achieve the 15' distance. If the distance between the curb and property line is less than 15', the front yard setback is 5'.
4. Show the measurements of the building setback distances on the site plan or Overall First Floor Plan (A100) as measured to the property lines.
5. Provide a dwelling unit summary with the number and type of dwelling units per floor.
6. Provide electric vehicle stalls per Section 28.141(8)(e) *Electric Vehicle Charging Station Requirements*. A minimum of 10% of the residential parking stalls (22 stalls) must be electric vehicle ready, and a minimum of 2% of the stalls (4 stalls) must be electric vehicle installed. One (1) of the electric vehicle installed stalls must be an accessible stall. Identify the locations of the electric vehicle ready and installed stalls on the plans.
7. As each commercial tenant space is leased, the entire development must reflect compliance in the required type and number of vehicle and bicycle parking spaces, to be reviewed prior to obtaining zoning approval for each use.
8. 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 193 resident bicycle stalls are required plus a minimum of 19 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. Show the dimensions of the bicycle stalls and the access aisles on the floor plans. 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 models of bike racks to be installed.
9. 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 seven (7) short-term bicycle parking stalls located in a convenient and visible area on a paved or pervious surface. Provide a minimum of two (2) bicycle stalls adjacent to the existing building at 222 E Olin Ave. A food and beverage use such as a restaurant or restaurant-tavern will be required to have a minimum number of bicycle stalls equal to 15% of capacity of persons. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance.
10. 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.
11. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. Identify which glass areas will be treated, and provide details of the specific treatment that will be used. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated.

12. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
13. 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 Tim Troester, 267-1995)

14. Developer shall enter into a developer agreement with the Madison Metropolitan Sewerage District (MMSD) to relocate the MMSD facilities (24" diameter sewer, and 30" diameter force main (inactive)) as a condition of plan approval. Applicant shall provide proof of an executed developer's agreement as a condition of plan approval. Applicant shall grant a new easement for the relocated MMSD Sanitary Sewer Facilities of adequate size and configuration as required by the Madison Metropolitan Sewerage District. Upon abandonment of the existing MMSD sanitary sewer facilities, coordinate the release of the existing Sanitary Sewer Easement per Document No. 1173377 with MMSD. All MMSD relocations are subject to WDNR approval prior to installation of sewer facilities. Applicant shall provide confirmation from MMSD that the selected locations and easements for MMSD owned facilities are acceptable with MMSD. All new easements shall be shown and labeled on the site plans.
15. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
  16. Construct sidewalk, terrace, curb & gutter and pavement to a plan as approved by City Engineer
  17. Construct John Nolen / Olin intersection pedestrian crossing improvements as required by City Traffic Engineer.
  18. Make improvements to the storm sewer system. The improvements shall consist of relocation and upgrade fo storm sewer system that is currently on an easement through the site. (MGO 16.23(9)(d)(6))
  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. Obtain a permit to plug each existing storm sewer. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 37.05(7))
  22. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and

requirements.

23. 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.
24. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
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. The area adjacent to this development is subject to backwater flooding from Lake Monona. Minimum entrance elevations for ramps to underground parking and to entrances shall be set at elevation 852.00. Structure exposed below this elevation shall be constructed of water resistant materials such as concrete or brick.
28. 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.
29. 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>  
This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)  
This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.  
Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.
30. 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: Reduce the peak discharge during the 10-year storm event by 15% percent compared to existing conditions.

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

Volume Control: Reduce the total volume leaving the site by 5% compared to existing conditions during the 10year event.

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.

31. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
32. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

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

33. Provide a recorded copy of the required new Madison Metropolitan Sewerage District Sanitary Sewer Easement required for the relocation of the existing sewer facilities prior to final site plan sign off. Upon the removal of the existing MMSD sewer facilities within this site, provide a recorded copy of the release of the Sanitary Sewer Easement per Document No 1173377.
34. The City's Quit Claim Deed per Document No. 3259688 does not resolve any claim the State of Wisconsin may have to the lands underlying the City's Quit Claim Deed that is included in the plan and the pending Certified Survey Map. The Quit Claim area comprises a substantial portion of the planned site. This matter shall be resolved before the City will approve the pending Certified Survey Map and any building improvement within the Quit Claim area. The resolution can be a disposal of surplus lands clearing title from the Wisconsin DOT, allowing for the construction of the building over any portion of those lands within the pending Certified Survey Map and proposed by these plans.
35. Applicant shall be aware that the route that is proposed for the public watermain will be required to coordinate with the Water Utility and the railroad the necessary permit(s) for the portions within the adjacent railroad right of way. Provide the permits prior to final site plan sign off.
36. 250 E Olin Ave is the correct approved address for the proposed apartments. 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.

37. 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.
38. Grant a Public Water Main Easement(s) to the City for the public water main to be relocated. Coordinate the final size and configuration of the water main and associated easement with the Madison Water Utility. The easement shall be granted on the pending Certified Survey Map. Coordinate the terms and conditions with Jeff Quamme of Engineering Mapping. (jrquamme@cityofmadison.com)
39. Grant a Public Sidewalk and Bike Path Easement(s) to the City on the face of the pending Certified Survey Map as approved by Engineering and Traffic Engineering. Terms and conditions shall coordinated with Jeff Quamme and also with Engineering Streets staff and Traffic Engineering Staff.
40. Applicant is solely responsible for the release of the existing utility easement per Doc 2725871 and the granting of the new utility easement for the relocated dry utilities as noted on the plan.
41. Provide for review the easement agreement for the two sanitary laterals serving the parcel to the west that cross the northerly corner of this parcel. The document(s) shall be executed and recorded prior to building permit issuance.
42. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management that are necessary between the two proposed lots to accomplish the land division or site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.
43. The Public Storm Sewer to be removed per the plans lies within the area of a Quit Claim by the City of Madison per Doc No 3259688. The City is not aware of any other existing Public Storm Sewer Easement(s) within this proposed site for the existing facilities to be removed. Coordinate with Jeff Quamme (jrquamme@cityofmadison.com) any easement releases for the existing storm sewer that may be discovered necessary to develop this site as planned.
44. The two proposed Lots for this development shall be shown and labeled on the site plans.
45. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for apartment buildings. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) PRIOR to the verification submittal stage of this LNDUSE with Zoning. The final approved stamped Addressing Plan shall be included in said application. Per Fire Code Ordinance 34.505(b), a copy of the addressing plan must be at the building site and shall be open to inspection by the City. 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. For any changes or updates, the approved Addressing Plan shall be submitted by the applicant to Zoning and distributed to all appropriate contractors and/or owners.

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

46. The applicant shall submit a deposit of \$40,000 payable to City Treasurer for the installation of pedestrian improvements at the John Nolen/Olin intersection and improvements to Olin Avenue.

47. The applicant shall work with Traffic Engineering and Engineering to provide an easement along the Northern edge of their site to allow for a future path connection to Wingra Creek Bike Path to provide bicyclists and pedestrians better access to the Capital City Trail.
48. 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.
49. 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.
50. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
51. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
52. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
53. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
54. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
55. The applicant shall provide a clearly defined 5' walkway from the front door to the public Right of Way clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
56. 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 Phillip Nehmer, (266-4769) (pnehmer@cityofmadison.com) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.

57. "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.
58. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
59. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
60. 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.
61. The applicant shall prepare a TDMP (Traffic Demand Management Plan) to be reviewed and approved by the City Traffic Engineer. MGO (28.183(6)(a)(6)
62. 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.
63. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
64. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
65. Note: The applicant has submitted the requested Traffic Impact Analysis study and Traffic Demand Management Plan; the documents have been reviewed and accepted by Traffic Engineering.

**Fire Department** (Contact Bill Sullivan, 261-9658)

66. Multiple FDCs is required for highrise buildings. Locations will be approved during the fire protection plan reviews.
67. Confirm exiting plans with security requests. As proposed, the door from the elevator lobby to the residential corridors can not be secured.

**Forestry Section** (Contact Brad Hofmann, 267-4908)

68. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory shall include the

following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.

69. 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.
70. City Forestry will issue a street tree removal permit for 3 trees along E Olin Ave: 4" Elm, 2" Hackberry, & 2" Locust trees due to underground utilities demo and installation. A removal permit would be issued for any tree removals within the unmaintained landscape bed in due to excavation with storm & sanitary. 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.
71. 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.
72. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry at (608) 266-4816 prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the site, grading, utility, demolition and street tree plan sets.
73. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.
74. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.
75. 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.

76. 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.
77. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

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

78. The proposed Utility Plan will require a Wisconsin DNR Water Main Extension review and approval prior to water main construction commencing. Submittal requirements are a Professional Engineer stamped utility plan and profile drawing. Madison Water Utility can submit the plan set on behalf of the developer. Contact Jeff Belshaw at [jbelshaw@madisonwater.or](mailto:jbelshaw@madisonwater.or) or 608-261-9835 for more information.
79. All public water mains and water service laterals shall be installed by a standard City subdivision contract / CityDeveloper agreement. Applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.
80. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat/CSM per MGO 16.23(9)(d)(3).
81. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

**Metro Transit** (Contact Tim Sobota, 261-4289)

82. The applicant shall maintain or replace the accessible bus stop boarding pad at the Metro bus stop zone that is on the north side of E Olin Avenue, west of John Nolen Drive.
83. The applicant shall install and maintain a new passenger waiting shelter with seating amenity - either as part of the private landscape plan or in the public right-of-way area. If located in the public right-of-way, the applicant shall submit a Privilege in Streets (Bus Shelter) application for review by the City. An approved Encroachment Agreement, for the bus shelter, shall be executed prior to sign off. Contact City Real Estate to start the Privilege in Streets (Bus Shelter) application process. (MGO 10.31)
84. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

85. Metro Transit operates daily all-day transit service along E Olin Avenue adjacent this property - with trips at least every 60 minutes.

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***Certified Survey Map***

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

1. Applicant shall grant a new easement for the relocated MMSD Sanitary Sewer Facilities of adequate size and configuration as required by the Madison Metropolitan Sewerage District. Upon abandonment of the existing MMSD sanitary sewer facilities, coordinate the release of the existing Sanitary Sewer Easement per Document No. 1173377 with MMSD.
2. Existing Storm Sewer easements are not shown on the CSM. While the intent is to relocate the storm sewer that is not completed at the time of recording. Those easements shall be shown.
3. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
4. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact 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)

**Parks Division** (Contact Ann Friewald, 243-2848)

5. The following note should be included on the CSM: "LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED."
6. The Parks Division shall be required to sign off on this CSM.
7. Prior to sign off on the CSM the applicant shall execute a declaration of conditions and covenants for impact fees.

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

8. 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.

9. 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).
10. 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.
11. 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....
12. 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).
13. 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.
14. 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 \_\_\_\_\_, 20\_\_, 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 \_\_\_\_\_, 2022

\_\_\_\_\_  
Maribeth L. Witzel-Behl, City Clerk  
City of Madison, Dane County Wisconsin

15. City of Madison Plan Commission Certificate: Pursuant to Madison City Ordinance Section 16.23(7)(d)3 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

16. 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. \_\_\_\_\_.

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Kristi Chlebowski, Register of Deeds

17. As of June 8, 2022, real estate taxes in the amount of \$5,138.15 are due for the subject property. Per 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording. This includes property tax bills for the prior year that are distributed at the beginning of the year. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off. Payment is made to:

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

18. As of June 8, 2022, there is a special assessment in the amount of \$607.34 due on the subject property. All known special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1. In lieu of this requirement, the owner may present written documentation from the City's Board of Public Works that the special assessments may be continued to be paid on the installment basis authorized by the Board of Public Works. However, if lands within the CSM boundary are to be dedicated, the special assessments levied against the dedicated lands are to be paid in full.
19. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), 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 submitted with the CSM application and include all associated documents that have been recorded since the initial title report.
20. Depict, name, and identify by document number all existing easements cited in record title and the updated title report.
21. Include a complete and accurate legal description of the lands that are to be included in the proposed CSM. The legal description shall be reconciled with the legal description of said lands in record title.
22. Depict and dimension all existing improvements including, but not limited to: buildings, drives, parking lots, encroachments, wells, septic systems, etc. located within the CSM boundary.
23. Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.
24. 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.
25. Liens or judgments levied against the lands within the CSM boundary shall be satisfied, with proof of satisfaction provided prior to CSM approval sign-off.

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

*An staff report addendum with recommended conditions of approval from the City Engineering Division – Mapping Section will be available prior to the Plan Commission public hearing*