

# PLANNING DIVISION STAFF REPORT

June 27, 2022



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 2101-2115 East Springs Drive (District 17 – Alder Halverson)  
**Application Type:** Zoning Map Amendment, Conditional Use, Certified Survey Map  
**Legistar File ID #** [71246](#) & [71665](#)  
**Prepared By:** Colin Punt, Planning Division  
Report includes comments from other City agencies, as noted.  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant:** Dan Schmidt; Forward Management; 826 North Star Dr; Madison, WI 53718

**Contact:** Brian Munson; Vandewalle & Associates; 120 E Lakeside St; Madison, WI 53715

**Requested Action:** The applicant is seeking approval of the following conditional uses per §28.068(2) MGO:

- A residential building complex.
- A multi-family dwelling containing more than 36 dwelling units.
- Outdoor recreation

The applicant is also seeking approval of a certified survey map create one lot.

**Proposal Summary:** The applicant is seeking approvals to construct 463 apartments in three (3) four-story buildings and create a single residential lot.

**Applicable Regulations & Standards:** Standards for conditional use approval are found in §28.183(6) M.G.O. Standards for certified survey maps are found in §16.23(5) M.G.O.

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

**Summary Recommendations:** The Planning Division recommends that the Plan Commission find the standards of approval met and **approve** the conditional uses to construct three (3) four-story apartment buildings with 463 units at 2101-2115 East Springs Drive and that it forward the associated CSM creating one lot to the Common Council with a recommendation of **approval**. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

## Background Information

**Parcel Location:** The subject site is currently composed of three parcels totaling 14.54 acres located south of East Springs Drive, immediately west of Interstate Highway 39/90/94 and north of the Wisconsin & Southern Railroad. The site is within Alder District 17 (Alder Halverson) and the Sun Prairie School District.

**Existing Conditions and Land Use:** The site, zoned CC (Commercial Center), is currently undeveloped.

### Surrounding Land Uses and Zoning:

North: Across East Springs Drive, a former big-box store housing the Plumber's Union, zoned CC (Commercial Center District);

West: Bowl-A-Vard bowling alley zoned CC and Interstate Highway 39/90/94;

**South:** East Branch Starkweather Creek and wetlands zoned CN (Conservancy District) and PD (Planned Development District), vacant land zoned SE (Suburban Employment District), and Wisconsin & Southern Railroad zoned CN; and

**East:** East Branch Starkweather Creek and wetlands zoned CN.

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2018) recommends General Commercial (GC) for the site. The site is not within the boundary of any adopted neighborhood or special area plans. The [Greater East Towne Area Plan](#) (2022) recommends Medium Residential for this site.

**Zoning Summary:** The subject property is proposed to be zoned CC (Commercial Center District):

Requirements	Required	Proposed
Lot Area (sq. ft.)	None	633,531
Lot Width	None	408 ft
Front Yard Setback	None	23 ft
Max. Front Yard Setback	85 ft	23 ft
Side Yard Setback	10 ft	80 ft, 101 ft
Rear Yard Setback	20 ft	96 ft
Usable Open Space	106,080 sq ft	130,939 sq ft (see Zoning comment 3)
Maximum Lot Coverage	85%	51%
Maximum Building Height	5 stories/78 ft	4 stories

Site Design	Required	Proposed
Number Parking Stalls	No min, 1,158 max	697
Accessible Stalls	14	23
Loading	No	No
Number Bike Parking Stalls	514	531 (see Zoning comment 4)
Landscaping	Yes	Yes (see Zoning comment 5)
Lighting	Yes	Yes
Building Forms	Yes	Large Multi-Family

<b>Other Critical Zoning Items</b>	Urban Design (Residential Building Complex), Floodplain, Utility Easements, Wetlands
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*Table Prepared by Jacob Moskowitz, Assistant Zoning Administrator*

**Environmental Corridor Status:** A portion of the southern and western edges of the subject site near the East Branch Starkweather Creek are in an environmental corridor as mapped by Dane County.

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

## Project Description

The applicant is seeking approval of conditional uses to construct 463 apartments in three (3) four-story buildings on a currently undeveloped site. A certified survey map combining the existing lots into one lot accompanies the land use application.

While the applicant labels four buildings “A” through “D,” buildings A and B are four-story masses connected by a clubhouse and office, creating a “C”-shaped building nearly 1,000 feet long, with a long façade along East Springs

Drive that turns inward into the site around a pool amenity. The clubhouse area between Buildings A and B includes a foyer, leasing office, community room, fitness room, theatre room, and game room. Building C is an approximately 500 feet long “V”-shaped four-story building at the northeast corner of the site. Building D is an approximately 500 feet long “L”-shaped four-story building at the southern corner of the site.

The 463 apartment units include 41 studios, 222 one-bedroom units, 186 two-bedroom units, and 14 three-bedroom units. All buildings have first-floor walkup units, including building A, which includes walkups along East Springs Drive. All other buildings have unit entrances and pedestrian connections to the surrounding surface parking areas or interior courtyard areas. Primary exterior building materials are a mix of light and dark gray fiber cement panels and lap siding. All buildings have a repeated pattern of projecting balconies. Wal-pak units are located in the facade of all balcony areas.

The proposed plans include 350 underground vehicle parking stalls and 357 surface vehicle parking stalls, for a total of 707 parking stalls. Vehicle parking ratios are 1.53 stalls per dwelling unit and 1.06 stalls per bedroom. Plans also show 479 indoor bicycle parking stalls and 50 outdoor short-term bicycle parking stalls. A long drive and parking lot loops the perimeter of the site around the apartment buildings. On the north and east sides, the drive is a double-loaded perpendicular parking lot. On much of the south side of the site, the drive includes parallel parking on one side, but reverts to a double-loaded perpendicular parking lot behind building A. Access to the drive at the south end of the site is directly from East Springs Drive. At the north end of the site, access is shared with the adjacent bowling alley. Underground parking for building A is accessed from its southwest end, between buildings B and C for those respective buildings, and at the westernmost end of building D.

Outdoor amenities include at least three courtyards with grills and fire pits, a dog park area, and pool, as well as an indoor clubhouse facility. Buildings B, C, and D frame a large interior courtyard area. A multiuse path connects East Springs Drive to the regional path network to the east. Landscaping across the large site includes a number of overstory deciduous trees such as maples, hackberries, oaks, and elms; as well as a wide variety of smaller ornamental trees, upright junipers and arborvitae, and many shrubs and ornamental grasses. Many trees are proposed for the perimeter of the site, lining and breaking up the paved areas in the circumferential drive and parking areas. Two linear stormwater detention ponds are placed along the southern side of the site, near the wetland and stream corridor. A natural wetland extends northward into the site in its southwesterly quadrant.

According to the application, the applicant intends to start construction in autumn 2022 with project completion in 2024.

## Analysis & Conclusion

This request is subject to the standards for conditional uses and certified survey maps. This section begins with a summary of adopted plan recommendations, followed by conditional use standards, and finally a conclusion.

### Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends General Commercial (GC) for the site. General Commercial (GC) areas provide the city’s population with a wide range of retail goods and services, including certain business and professional offices. GC districts are not generally recommended for residential uses, though such uses may be considered as part of a conditional use under relevant zoning districts. The [Greater East Towne Area Plan](#) (2022) recommends Medium Residential for this site. Medium Residential (MR) areas may include a variety of relatively intense housing types, including rowhouses, small multifamily buildings, and large multifamily buildings. Building heights are typically two to five stories and residential densities range from 20 to 90 dwelling units per acre.

Adjacent properties are recommend to remain in either open space or general commercial uses, and no public streets are recommended through the subject site. The Plan also identifies a goal to encourage development of “complete neighborhoods” where residents have convenient access to goods and services needed for daily life. The Plan recommends a 200-foot buffer in order to both provide a natural buffer between development and Starkweather Creek, as well as to reserve space for potential future stormwater and flood storage that could come about from the results of the Starkweather Creek Watershed study, scheduled for 2024. The Plan also includes an appendix of site design elements, which includes recommendations regarding building height, setbacks, and setbacks; building materials and articulation; and site layout and building orientation.

### **Conditional Use Standards**

The applicant is requesting approval of three conditional uses within the Commercial Center 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) M.G.O. 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 Greater East Towne Area Plan. 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) M.G.O. 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. Staff believes that, in consideration of the comments below and subject to the conditions recommended at the end of this report, the Plan Commission can find that the conditional use approval standards are met.

Staff provide the following comments regarding Condition Use approval standards five and nine.

Regarding standard five, which states that 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 notes that in early conversations with the applicant, Staff strongly encouraged an interior street network for the site and a site plan that did not front so many dwelling units on the peripheral parking loop. Staff raised similar concerns in the report to UDC. The UDC believed the changes to the site plan between the information presentation and June 15, 2022 meeting at which the applicant requested UDC approval were adequate.

Regarding standard nine, the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district. As noted above, the project is generally consistent with the broad design guidelines and MR recommendations in the plan. In various reports, staff have raised some concerns on the length of some buildings and the number of units oriented towards parking areas. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission (UDC) for comment and recommendation. As a residential building complex, this proposal has already been reviewed by the UDC for an advisory recommendation. At its June 15, 2022 meeting, the UDC recommended approval of the proposal, as detailed below.

## Urban Design Commission

The UDC is an advisory body regarding this request as 33.24(4)(c) MGO states that: “The Urban Design Commission shall review the exterior design and appearance of all principal buildings or structures and the landscape plans of all proposed residential building complexes.” When the UDC reviewed an earlier version of the proposal as an informational presentation on March 9, 2022, it provided feedback on a variety of design-related considerations, including those related to limiting the number of residential units oriented towards the parking lot, adjusting building orientation, providing a centrally located “street” within the development, and concentrating parking nearest the interstate. When the proposal returned to the UDC for approval, staff identified the following design considerations in their [Staff Report to the UDC](#): building mass and scale, wall pack locations, screening and buffers between the site and the railroad and highway corridors, setback from Starkweather Creek, and general site layout and design. At its June 15, 2022 meeting, the UDC recommended approval of the proposal, with the following comments and conditions:

- The UDC recommends that the improved site plan is acceptable.
- The UDC recommends that a row of evergreen trees (Thuja Green Giant) be added to the portion of the site that fronts the Interstate. Consideration should be given to pushing the evergreens as far back on the property as possible to allow for the row of maples to remain. .
- UDC recommends including a third color or material in the building material palette and design to provide less similarity from building-to-building.
- At the subjectivity of the architect, UDC recommends that the third floor roof element be re-examined with the goal of reducing the heaviness of the element. Consideration should be given to returning this element to the vertical projecting element on the building end wall. .
- UDC recommends pushing the walpaks back from the primary edge of the balconies to reduce visibility from the street.

## Water Resource Setbacks & Buffers

Staff notes that portions of the site are within an environmental corridor as mapped by Dane County surrounding the East Branch Starkweather Creek. All branches of Starkweather Creek generally south of Interstate Highway 39/90/94 are considered navigable streams. While the WDNR (Wisconsin Department of Natural Resources) does not have setbacks that would exceed those shown on the plan, any site plan submitted for City of Madison Zoning review within the Wetland Overlay must include the location of the ordinary high water mark on the plans. Limitations on fill within the area will also be enforced. Further, the [Greater East Towne Area Plan](#) recommends a 200-foot buffer in order to both provide a natural buffer between development and Starkweather Creek, as well as to reserve space for potential future stormwater and flood storage that could come about from the results of the Starkweather Creek Watershed study, scheduled for 2024. The shortest distance from the midline of Starkweather Creek to the multiuse path, parking drive, and building D appear to be approximately 60 feet, 130 feet, and 185 feet, respectively. Staff have recommended a condition of approval to show the centerline of Starkweather Creek and the setback distances of buildings A and D from the Creek on the plans,

## Land Division

The applicant has submitted a certified survey map to create combine the three existing lots into one lot. Section 16.23(5)(g) M.G.O. provides the process for certified survey maps. Staff believe that all applicable standards for land divisions can be found met.

## Conclusion

Staff believes that the proposed development and requested conditional uses are consistent underlying land use recommendations of the Greater East Towne Area Plan and the Comprehensive Plan. While staff believe the site plan could be better arranged according to urban design principals, the UDC has recommended approval, subject to several conditions. When considering the recommended conditions of approval, staff believes the Plan Commission can find the applicable standards met.

At time of writing, Staff is unaware of any written comments from the public.

## Recommendation

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

The Planning Division recommends that the Plan Commission find the standards of approval met and **approve** the conditional uses to construct three (3) four-story apartment buildings with 463 units at 2101-2115 East Springs Drive and that it forward the associated CSM creating one lot to the Common Council with a recommendation of **approval**. This recommendation is subject to input at the public hearing and the following conditions.

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

### *Conditional Use Request*

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

1. Provide an exhibit showing the centerline of Starkweather Creek and the setback distances of buildings A and D from the Creek.
2. Make the recommended changes to the plan set as noted in the motion of the UDC at its June 15, 2022 meeting:
  - That a row of evergreen trees (Thuja Green Giant) be added to the portion of the site that fronts the Interstate. Consideration should be given to pushing the evergreens as far back on the property as possible to allow for the row of maples to remain. .
  - That a third color or material be added to the building material palette and design to provide less similarity from building-to-building.
  - Consider re-examing the third floor roof element with the goal of reducing the heaviness of the element. Consideration should be given to returning this element to the vertical projecting element on the building end wall.
  - Push the walpaks back from the primary edge of the balconies to reduce visibility from the street.

### Zoning Administrator (Contact Jacob Moskowitz, 266-4560)

3. Clearly show the useable open space areas on the final plans. In addition to showing structured useable open space at balconies or rooftop areas, identify each qualifying at-grade usable open space area on the final plans.
4. Some bicycle parking stalls and/or access aisles appear to be obstructed by columns or other objects. Bicycle stalls must meet the dimensional requirements without any obstructions.

5. 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.
6. Provide a 75-foot protective buffer from the wetlands pursuant to Madison General Ordinances 37.09(3)(h) and the Wisconsin Administrative Code Chapter NR 103.04.
7. Show the designated flood plain area on the site plan. Any construction within a flood plain shall meet floodproofing protection measures and such design shall be certified by a registered professional engineer or architect per 28.121(12) of the Madison General Ordinances.
8. Revise elevations to demonstrate compliance with Sec. 28.129 Bird-Safe Glass Requirements. Provide specifications of the type of bird-safe glass treatment to be used.
9. Label electric vehicle parking stalls, both EV ready and EV installed. A total of 10% (70 stalls) must be EV ready, and 2% (14 stalls) must be EV installed.
10. This property is subject to shoreland zoning, as specified in Sec. 28.005(1)(b).

**City Engineering Division** (Contact Brenda Stanley, 261-9127)

11. The proposed sewer connection invert to MMSD will likely be required by MMSD to connect above the crown of MMSD sewer and this will affect the slopes of the proposed private sewer mains on the lot. Applicant shall confirm feasibility of proposed connection to MMSD prior to plan signoff.
12. 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)
13. Construct multi-use path, sidewalk, terrace, curb and gutter and pavement to a plan as approved by City Engineer
14. 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))
15. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. This property is subject to Sanitary Connection charges for the Lien Road Interceptor \$3.90/1000 sf.
16. The proposed sewer connection to the MMSD sewer access structure shall conform to all MMSD connection specification criteria. Contractor is responsible for taking out the MMSD connection permit as well as the permit connection fee if applicable. Add the following note to the plans: Contractor shall notify Ray Schneider (608)3473628, rays@madsewer.org, 5 days prior to making the connection to the MMSD manhole to arrange for inspection of the connection.

17. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
18. 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.
19. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
20. 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.
21. 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)
22. 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.
23. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 100-yr design storm that is current in Madison General Ordinance Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
24. 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.
25. 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.

26. 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: Detain the 2, 10, 100 & 200 -year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.

Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.

TSS New Development: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

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

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

27. 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.

28. 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 Julius Smith, 264-9276)

29. Grant a Public Sidewalk and Bike Path Easement to the City on the face of a forth coming Certified Survey Map with the size and location to be determined by the City of Madison Engineering and Traffic Engineering Departments

30. The proposed new building crosses an underlying platted lot line. Prepare a Certified Survey Map (CSM) and submit to the Planning Unit to dissolve underlying lot lines to comply with fire codes, City Ordinances and City Policies. The CSM shall be approved by the City, recorded with the Dane County Register of Deeds and new Tax Parcel information available prior to issuance of a building or early start permit.

31. The address for Building A is 2003 East Springs Dr.

The address for the clubhouse is 2015 East Springs Dr.

The address for Building B is 2027 East Springs Dr.

The address for Building C is 2039 East Springs Dr.

The address for Building D is 2041 East Springs Dr.

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.

32. 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 should include a key locator and north arrow. Also, include a 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 approved Addressing Plan shall be included in the final application. 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, 266-5987)

33. The applicant shall work with Traffic Engineering and Engineering on determining the final location for the multiuse path. The applicant shall enter into a signed developer's agreement through City of Madison Engineering prior to sign off for public path improvements, final path alignment to be determined by City Engineer.

34. The applicant shall work with Traffic Engineering and Engineering on providing a path connection along the southern edge of their site to connect to a future path to the east and west.

35. 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.

36. 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.
37. 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.
38. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
39. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
40. 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.
41. 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.
42. 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.
43. 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 DeAndre Newson, (266-4768, dnewson2@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.
44. 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.
45. "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.
46. 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.

47. Secure parking facility. This is usually done with continuous six (6) inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.
48. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

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

49. Provide an aerial access lane parallel to one entire side for buildings exceeding 30-ft in height. Building A does not have aerial access parallel to an entire side.
50. Provide documentation that the proposed private water mains are sized to meet the required fire flow demands as indicated by IFC Annex B or other national standards.

51. Due to the connection between Buildings A & B, MFD will consider this one structure as far as building code and fire protection system applications.
52. Coordinate the selected tree species mature canopy widths with the aerial access lanes. The canopies may not encroach into the aerial access lanes.
53. Provide documentation that the aerial access for Building D meets the required minimum 25% of the entire building perimeter.

**Parks Division** (Contact Kate Kane, 261-9671)

54. 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(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the East Park-Infrastructure Impact Fee district. Please reference ID# 22010 when contacting Parks about this project.

**Forestry Section** (Contact Jeff Heinecke, 266-4890)

55. As defined by Madison General Ordinance 10.10, City Forestry will assess the full cost of the street tree installation to the adjacent property owner. City Forestry will determine street tree planting sites and tree species type. Street tree planting will be scheduled after there is substantial completion of the new plat development along the street segment.

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

56. 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.

57. All water main within the proposed site will be considered private.

*Metro Transit has reviewed this request and has recommended no conditions of approval.*

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### ***Certified Survey Map***

#### **City Engineering Division** (Contact Brenda Stanley, 261-9127)

1. The proposed sewer connection to the MMSD Manhole will likely be required to be lifted above the 24" diameter sewer main which will impact the sewer layout.
2. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
3. Construct multi-use path along western lot line (outside of wetland boundaries) to a plan as approved by City Engineer
4. 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))
5. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. This property is subject to Sanitary Connection charges for the Lien Road Interceptor \$3.90/1000 sf.
6. 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)
7. The proposed sewer connection to the MMSD sewer access structure shall conform to all MMSD connection specification criteria. Contractor is responsible for taking out the MMSD connection permit as well as the permit connection fee if applicable. Add the following note to the plans: Contractor shall notify Ray Schneider (608)3473628, rays@madsewer.org, 5 days prior to making the connection to the MMSD manhole to arrange for inspection of the connection.

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

8. Grant a 20' Public Sidewalk and Bike Path Easement(s) along the western edge of lot (outside of wetland) to the City on the face of this Certified Survey Map with the following additional conditions. a) No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: pavement and/or concrete for driveway purposes shall be permitted.)
9. Release that portion of the unoccupied 10' Sanitary Sewer Easement set forth in both CSM 7472 and Regional East V from the southerly PC of Curve C3 running along said curve and continuing along the restricted buffer easement all the way to the West line of the Southeast Quarter. Additionally the title work should mention Award of Compensation Document No. 1379822 and any other document that may reference the construction or easements depicted in Exhibit A of that document. Any rights that this document or the previously existing sewer may prescriptively had in lieu of the presence of a recorded easement shall also be released as they once were intended as noted ( To be vacated ) on CSM 7472. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Julius Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat.
10. Create exhibit for release of 30' joint ingress egress easement location as joint access will no longer be needed with combination of lots at the three lots in total are being combine into one lot and will have one and a half access points. Additionally release the two FFE restrictions for lots 59 and 60 of Regional East V, as the new overall combine lot will be subject to a to be determined Minimum Finished Floor or other Flood restriction as condition of the approved Development. Both of these releases should be handled in a single Real Estate Project. Any portion(s) of a public easement or restriction that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Julius Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat.
11. Note that the area shown as 10' wide Public Utility Easement per Doc No. 2654031 along the southeasterly 670 foot line is also a 10' Sanitary Sewer Easement per CSM 7472.
12. Correct the referenced Document No. for the Restricted Buffer Easement to 2608356
13. Note that the remaining portion of the 10' sanitary sewer easement along the southwesterly line is per both Regional East V and CSM 7472 Docs 2654031 and 2608355
14. Note that the 10' wide public utility easement along the South line of East Springs Drive is per both Regional East V and CSM 7472 Docs 2654031 and 2608355
15. Identify on CSM the underlying lot lines and numbers of recorded Certified Survey Map or Plat.
16. 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 Julius Smith, City Engineering

(jsmith4@cityofmadison.com)

17. 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.
18. 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 Julius Smith (jsmith4@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
19. Show limits of Floodplain on CSM the 863 contour around the spring in particular appears to affect Lot 1
20. the adjacent Starkweather Creek and associated spring is a named stream and navigable waterway this should be shown on the Map. it may have environmental setbacks via NR 115 to be determined by other departments. if this is this case the OWHW would need to be determined.
21. show the existing pavement in front of the lot, sidewalk and curb on east springs drive and the existing pavement contained within the existing shared drive along the northeasterly line.
22. label the West line of the Southeast Quarter on the face of the map.
23. label widths of East Springs Drive and US-IH 90-94 per SS 236.20(2)(f) if room show Reference line for IH 90-94 per SS 236.20(2)(h)
24. Submit to Julius Smith, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work, preferably closed polylines for lot lines, shall be void of gaps and overlaps and match the final recorded plat:
  - a) Right-of-Way lines (public and private)
  - b) Lot lines
  - c) Lot numbers
  - d) Lot/Plat dimensions
  - e) Street names
  - f) Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)NOTE: This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data for any changes subsequent to any submittal.

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

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| 25. The applicant shall work with Traffic Engineering and Engineering on providing a path connection along the southern edge of their site to connect to a future path to the east and west. |
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26. The applicant shall work with Traffic Engineering and Engineering on determining the final location for the multiuse path. The applicant shall enter into a signed developer's agreement through City of Madison Engineering prior to sign off for public path improvements, final path alignment to be determined by City Engineer.

**Parks Division** (Contact Kate Kane, 261-9671)

27. 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(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the East Park-Infrastructure Impact Fee district. Please reference ID# 22010 when contacting Parks about this project.

28. 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."

29. The Parks Division shall be required to sign off on this CSM.

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

30. Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report. When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

31. 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).

32. 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.

33. 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....

34. 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).

35. 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.

36. 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

37. 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

38. 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

39. As of June 17, 2022, the real estate taxes are paid 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

40. As of June 17, 2022, there are no special assessments reported. All known special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.

41. 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.
42. Depict, name, and identify by document number all existing easements cited in record title and the updated title report.
43. 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.
44. 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.
45. Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.
46. 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.
47. 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.
48. 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, Fire Department, Water Utility, Office of the Assessor, and Metro Transit have reviewed this request and have recommended no conditions of approval.*