

# PLANNING DIVISION STAFF REPORT

October 3, 2022



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 121 East Wilson Street (District 4 – Alder Verveer)

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

**Legistar File ID #** [73189](#), [73191](#), [73352](#), [73475](#)

**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 Kennelly; Quad Capital Partners; 115 Depot St; Ann Arbor, MI 48104

**Requested Action:** The applicant is seeking approval of a zoning map amendment to change the zoning at 121 East Wilson Street from UMX (Urban Mixed Use) District to DC (Downtown Core) District; approval of a one-lot certified survey map; approval of demolition permits for the existing office building and parking structure; and the following conditional uses:

- A new building greater than twenty thousand (20,000) square feet or more than four (4) stories (§28.074(4)(c) MGO)
- Accessory outdoor recreation (§28.072(1) MGO)
- A building or structure located within one mile of the center of the State Capitol Building exceeding the elevation of the base of the columns of said Capitol Building or one hundred eighty-seven and two-tenths (187.2) feet, City datum (§28.134(3) MGO)
- Reduction of the required number of loading spaces (§28.141(13)(b) MGO)

**Proposal Summary:** The applicant is seeking approvals to demolish an office building to construct a fourteen-story mixed-use building with approximately 19,500 square feet of commercial space and 337 dwelling units on a single lot to be created by CSM.

**Applicable Regulations & Standards:** Standards for conditional use approval are found in §28.183(6) M.G.O. Standards of approval for demolition permits are found in §28.185(6) M.G.O. Standards for zoning map amendments are found in §28.182(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 the following to the Plan Commission regarding the applications for 121 East Wilson Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find that the standards for demolition permits are met to approve demolition of the building at 609-615 East Dayton street;
- That the Plan Commission find that the standards for conditional uses are met for a hotel in the TE district, subject to the conditions from reviewing agencies beginning on page 7;
- That the Plan Commission forward the zoning map amendment from UMX to DC to Common Council with a recommendation to approve;
- That the Plan Commission forward the certified survey map to Common Council with a recommendation to approve, subject to the conditions from reviewing agencies beginning on page 16;

## Background Information

**Parcel Location:** The subject site is 1.13 acres located at the southeast side of East Wilson Street between King Street and South Pinckney Street. The site is within Alder District 4 (Alder Verveer) and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The site, zoned UMX (Urban Mixed Use), is currently occupied with a 73,000-square foot, five-story office building with a 43,000-square foot, two-story parking structure. The building was originally constructed in 1942, with additions in 1957 and 1972.

### Surrounding Land Uses and Zoning:

**Northwest:** Across East Wilson Street, a three-story mixed-use building zoned DC (Downtown Core district) and a twelve-story apartment building zoned PD (Planned Development district);

**Southwest:** A ten-story office building zoned PD;

**Southeast:** Wisconsin & Southern Railroad and John Nolen Drive with the Monona Terrace parking exit beyond, zoned DC; and

**Northeast:** A 12-story residential building zoned PD.

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2018) recommends Downtown Core (DC) for the site. The [Downtown Plan](#) (2012) recommends Downtown Core Mixed-Use.

**Zoning Summary:** The subject property is proposed to be zoned DC (Downtown Core District):

Requirements	Required	Proposed
Front Yard Setback	0' or 5'	6.0' (1)
Side Yard Setback	0'	0.5' east side yard 18.6' west side yard
Rear Yard Setback	0'	2.1'
Usable Open Space	None	29,250 sq. ft.
Maximum Lot Coverage	None	Green roof areas provided
Minimum Building Height	2 stories	14 stories
Maximum Building Height	Capitol View Preservation Limit	14 stories; exceeds Capitol View Preservation Limit (2)
Stepback	None	None

Site Design	Required	Proposed
Number Parking Stalls	No minimum required: Central Area	345 (5)
Accessible Stalls	Yes	Yes
Loading	1 (10' x 50')	Move-in and loading area (8)
Number Bike Parking Stalls	<b>Multi-family dwelling:</b> 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (344) 1 guest space per 10 units (34) <b>General retail; service business; office:</b> 1 per 2,000 sq. ft. floor area (10)	344 enclosed 6 surface (350 total) (3)(6)(7)

	<b>Restaurant; food and beverage establishment:</b> 5% of capacity of persons (TBD) (388 total)	
Landscaping and Screening	Yes	Yes
Lighting	Yes	Yes
Building Forms	Yes	Podium Building (9)(10)
<b>Other Critical Zoning Items</b>	Urban Design (Downtown Core), Barrier Free (ILHR 69), Utility Easements, Wellhead Protection District (WP-17)	

*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 to change the zoning at 121 East Wilson Street from UMX (Urban Mixed Use) District to DC (Downtown Core) District, approval of a demolition permit for the existing office building and attached parking structure, and several conditional uses to construct a fourteen-story mixed-use building. A certified survey map creating one lot accompanies the land use application.

The [demolition photos \(pg 2\)](#) submitted by the applicant show a building that does not have any structural issues known to staff, but include a variety of building styles and ages.

The proposed 14-story building includes approximately 337 dwelling units composed of 73 studios, 175 one-bedroom units, 75 two-bedroom units, and 14 three-bedroom units. Many units, particularly corner units and those on the southeast (Lake Monona) façade, have private balconies. The building appears as two masses from Wilson Street, separated by a two-story tall first-floor through-lot promenade. The primary residential lobby and most back of house operations are located in the southwestern tower element. 19,445 square feet of ground floor commercial space divided into two spaces, one on each side of the central promenade. The applicant intends one space to be occupied by a restaurant operator, and the other to be used by a food hall. The two-story tall, 34-foot wide ground floor open-air "promenade" extends through the center of the building from East Wilson Street to a terrace overlooking Law Park and Lake Monona. The total area of the promenade and terrace is approximately 10,400 square feet. In addition to informal seating and space, this area will also include outdoor dining areas, tree planters, and modular planters with integrated benches. Residential amenity spaces are located on the ground floor, second floor, and fourteenth floor. Ground floor amenities include a coworking space, office centers, mail and package rooms, and the leasing office. The second floor includes a fitness center and 2,900 square foot outdoor terrace with planters, fire pit, and seating areas. The fourteenth floor includes community rooms, game rooms, a community kitchen and dining room, and 4,400 square foot terrace with seating areas, indoor/outdoor fireplace as well as communal food prep areas and grills. Planters and green roofs on the first floor, second floor terrace, and rooftop above the fourteenth floor. The rooftop includes sedum green-roof space, two mechanical yards (one on each tower mass), and an elevator over-run.

The primary façade materials are a gray brick veneer and bronze metal panel. Trim and accent materials include gray and bronze-colored fiber cement panels and bronze aluminum window mullions. The building is 143 feet from the first-floor promenade level to top of parapet, which is 1'-4" taller than the roof and approximately 3 ½ inches beneath the Capitol View Preservation height limit. The building's two mechanical yards extend

approximately 12'-4" above the Capitol View Preservation height and the elevator over-run approximately 14'-8". Additionally, the site drops approximately 40 feet from the southern corner at East Wilson Street to the rear lot line along the railroad right of way. More than 30 feet of the parking structure is exposed. The overall visible structure height from the southeast elevation is 174'-6" from the lowest exposure of the parking structure to the parapet.

Plans show 345 below grade vehicle parking stalls in four levels accessed via driveway on East Wilson Street on the north side of the building. The parking structure is designed to accommodate small and medium moving trucks for on-site move-in and move-out. There are also 346 below grade bicycle parking stalls and 42 outdoor short-term bicycle parking stalls shown on plans. A dog run at the easternmost corner accessed at from the third parking level. Most back of house functions, including the primary delivery, loading, and trash service areas, are accessed along the southwest side of the building. Stormwater management facilities shown in the plans include landscaping, green roofs, and an on-site underground cistern.

According to the letter of intent, the applicant intends to start construction in spring 2023 with completion by spring 2025.

## Analysis & Conclusion

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

### Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Downtown Core (DC), which represents the nucleus of downtown and accommodates a wide variety and mix of uses in large-scale buildings. The [Downtown Plan](#) (2012) recommends Downtown Core Mixed-Use for the site, with a maximum building height at the Capitol View Preservation Limit. The Downtown Plan also places the site within the Downtown Core district, which accommodates a wide variety of office, employment, retail, government, residential, and other uses in larger-scale buildings that comprise the most densely developed part of the city. Staff believes the proposal can be found to be consistent with the adopted plans.

### 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." As described above, the request and its uses can be found to be generally consistent with the land use recommendations for this area in the [Comprehensive Plan](#). Importantly, staff believes that a rezoning to DC is generally consistent with the DC recommendation in the Comprehensive Plan.

## Demolition Permit Standards

At its October 5, 2021 meeting, the Common Council adopted Ordinance 21-00065 (ID [67074](#)) to revise the standards and process for demolition and removal permits in Section 28.185 of the Zoning Code to remove consideration of proposed future use as a factor in approving demolition requests. In order to approve a demolition request under the revised standards, the Plan Commission shall consider the seven approval standards in §28.185(9)(c) M.G.O. when making a determination regarding demolition requests. The factors include a finding that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison.

The Planning Division believes that the standards for Demolition Permits can be met, but provides the following comments regarding standard 4, *"That the Plan Commission has received and considered the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission."* At its July 11, 2022 meeting, the Landmarks Commission found that the existing building at 121 East Wilson Street has historic value related to the vernacular context of Madison's built environment and as the work of architects of note, but that the building itself is not significant (see Landmarks Commission [report](#) for more information). Staff believes that all other applicable demolition permit standards of approval can be found met.

## Conditional Use Standards

The applicant is requesting approval of four conditional uses within the DC 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. 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 provides comments regarding conditional use standard of approval 5, 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" and standard 6, which requires that "measures, which may include transportation demand management...have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets." The applicant has not provided a Traffic Impact Analysis (TIA) or a Traffic Demand Management Plan (TDMP) at this time. While TDMPs are often reviewed and approved by the Traffic Engineering Division during final verification of conditions and site plan approval, TIAs are typically reviewed prior to Plan Commission review. However, a significant public works project to reconstruct Wilson Street has been planned and programmed, which will strongly direct traffic impacts from this proposal. Traffic Engineering staff have included a conditions of approval (53 & 54) to specify the details regarding the submission and review of both the TIA and TDMP.

Staff provides the following comments regarding Condition Use approval standard nine (9), that "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. 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." This proposal has already been reviewed by the UDC as required by the Zoning code. Staff raised concerns regarding the long, relatively flat rear (Lake Monona) façade,

the building height and projections above the Capitol View Height limit, long views of the site, the building material palette, lighting levels, and submitted landscape. See Legislative ID [71621](#) for more information. However, the UDC granted the proposal final approval with the no conditions at its September 21, 2022, meeting. As such, staff believes standard of approval 9 to be met.

Under Wisconsin State Statute and Madison General Ordinance (MGO), certain projections are permissible into the Capitol View Preservation area, if approved by the Plan Commission as a conditional use. Section 28.134(3) MGO states, with regard to Capitol View Preservation (CVP), that “no portion of any building or structure located within one (1) mile of the center of the State Capitol Building shall exceed the elevation of the base of the columns of said Capitol Building...Provided, however, this prohibition shall not apply to any church spires, flagpoles, communication towers, elevator penthouses, screened air conditioning equipment and chimneys exceeding such elevation, when approved as conditional uses.” Conditional Use standard of approval 17 states that when applying the Conditional Use standards to an application for allowable projections into the Capitol View Preservation Area, the Plan Commission shall “only approve the projection if it determines the encroachment is the minimum necessary and does not significantly impact the long views of the State Capitol building.”

The building parapet is approximately 3 ½ inches beneath the Capitol View Preservation height limit. The building’s elevator over-run extends approximately 14’-8” above the CVP height and the two mechanical yards approximately 12’-4”. The eastern mechanical yard is approximately 38 feet by 52 feet (1,969 square feet). The western mechanical yard, which includes the elevator overrun, is approximately 38 feet by 52 feet (2,366 square feet).

In considering similar conditional use approvals, taller elevator penthouse projections and mechanical yard screens have been approved elsewhere in Downtown. 1 North Pinckney Street (American Exchange Building environs) was approved with mechanical equipment 12’-7” above the Capitol View Preservation height limit and mechanical yard screening of 12’-5” above the limit. The approved mechanical yard is approximately 141 feet by 46 feet (5246 SF). An elevator over-run 15’-11” over the height limit was also approved. 223 South Pinckney Street (Block 105) and 216 South Pinckney Street (Block 88) were both approved with mechanical screening walls that projected 16 feet above the CVP height limit. The Block 88 mechanical yard was originally 4,334 square feet, but a revised approved proposal brought the mechanical screen height to just under 10 feet above the CVP height limit and an area of approximately 149 feet by 24 feet (3,576 square feet). Block 89, between Doty Street and Capitol Square, was approved with two mechanical yard projection of 16 feet over the CVP height limit. The first, nearer the Main Street facade, covers an area of approximately 39 feet by 45 feet (1,755 square feet). The second projection is adjacent to Doty Street, and was approved for an area of 53 feet by 78 feet (4,134 square feet), though it was built to be approximately 30 by 40 feet (1,200 square feet). The East Wilson Street Hilton Hotel includes an approximate 13 foot CVP height limit screening projection that covers an approximate area of 26 feet by 40 feet (1,040 square feet).

In addition to the long view from the City of Monona provided in the submitted [plans \(page 3\)](#), the applicant has provided, at the request of staff, [additional long view studies](#) from Olbrich Park, Esther Beach Park, and Olin Park illustrating the projection and the relationship to the Capitol. Such views are important studies to evaluate the impacts of both the height and area of the projections. Based on the provided information, staff believes it may be possible to find the applicable standards met, but have added a condition requiring that the applicant work with staff to minimize any such projections to the maximum extent possible.

## Land Division

The applicant has submitted a certified survey map to create one lot. Staff believe that all applicable standards for land divisions can be found met.

## Conclusion

Staff believes that the proposed zoning map amendment from the Urban Mixed Use (UMX) District to the Downtown Core (DC) District is land use recommendations in the Downtown Plan and Comprehensive Plan. Further, staff believes that the standards of approval for demolition permits and the standards for land divisions can be found to be met. When considering the inclusion of commercial space in the proposed redevelopment and the recommendations and findings from the UDC, staff believes the standards of approval for conditional uses can be found met.

At time of writing, Staff has not received written comment from the public.

## Recommendation

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

The Planning Division recommends the following to the Plan Commission regarding the applications for 121 East Wilson Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find that the standards for demolition permits are met to approve demolition of the building at 609-615 East Dayton street;
- That the Plan Commission find that the standards for conditional uses are met for a hotel in the TE district, subject to the conditions from reviewing agencies beginning below;
- That the Plan Commission forward the zoning map amendment from UMX to DC to Common Council with a recommendation to approve;
- That the Plan Commission forward the certified survey map to Common Council with a recommendation to approve, subject to the conditions from reviewing agencies beginning on page 16;

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

### ***Land Use Request – Zoning Map Amendment, Demolition Permit, Conditional Use***

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

1. Prior to final sign-off, the applicant shall work with Planning and Building Inspection Division staff to identify ways to lower and minimize the overall area and height of the projections into to the Capitol View limit so they are the minimum necessary to screen rooftop the mechanical equipment. Further justification shall be approved by the Planning and Building Inspection Divisions should no further reduction be proposed. Note that an increase in the height or the area beyond what is shown in the conditional use submittal will require consideration of either a minor (administrative) or major alteration to this approval, depending on the scope of the changes

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

2. Verify that the underground parking levels comply with the front yard setback. Show the front yard setback distance for the underground parking levels as measured to the front property line. 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'. The underground parking levels as well as the aboveground building must comply with the front yard setback.
  3. Verify that no portion of the building parapet exceeds the Capitol View Preservation height limit. Per Section 28.134(3) Capitol View Preservation, show the height of the building per City Datum. No portion of any building or structure located within one (1) mile of the center of the State Capitol Building shall exceed the elevation of the base of the columns of said Capitol Building or one hundred eighty-seven and two-tenths (187.2) feet, City datum. Provided, however, this prohibition shall not apply to any church spires, flagpoles, communication towers, elevator penthouses, screened air conditioning equipment and chimneys exceeding such elevation, when approved as conditional uses. For the purpose of this subsection, City datum zero (0.00) feet shall be established as eight hundred forty-five and six-tenths (845.6) feet above sea level as established by the United States Coast and Geodetic Survey.
  4. Bicycle stalls are proposed in the Wilson Street public right-of-way. Note that bicycle stalls located in the public right-of-way do not count toward the minimum bicycle parking requirement. Privilege in the Streets approval is required through the City of Madison Office of Real Estate Services.
5. 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.
  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 (34 stalls) must be electric vehicle ready, and a minimum of 2% of the stalls (7 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. 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 344 resident bicycle stalls are required plus a minimum of 34 short-term guest stalls. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Submit a detail showing the model of bike rack to be installed.
  8. Bicycle parking for the commercial tenant spaces shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and will be reviewed prior to obtaining zoning approval for each tenant use. Provide a minimum of 10 short-term bicycle parking stalls located in a convenient and visible area on a paved or pervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance.



9. Required loading facilities shall comply with MGO Section 28.141(13). Provide one 10' x 50' loading areas with 14' vertical clearance to be shown on the plan. The loading areas shall be exclusive of drive aisle and maneuvering space. The required number of loading spaces may be reduced through conditional use approval.
10. Provide details showing that the building façades meet the door and window opening requirements of Section 28.071(3)(e). For street-facing facades with ground story non-residential uses, the ground story door and window openings shall comprise a minimum of fifty percent (50%) of the facade area. Upper story openings shall comprise a minimum of fifteen percent (15%) of the facade area per story.
11. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of greater than or equal to fifty percent (50%) glass, at least eighty-five percent (85%) of the glass must be treated. All glass within fifteen (15) feet of a building corner must be treated when see through or fly through conditions exist. 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. All glass railings must be treated. Identify which glass areas will be treated, and provide a detail of the specific treatment product that will be used.
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 Brenda Stanley, 261-9127)

14. Applicant shall obtain a permit to work within the Railroad Right of Way for the proposed utility work within the Right of Way and abide to all permit requirements. Application/Permit WisDOT DT2036
15. The storm sewer along the back or south side of the building shown as private to be removed is in fact public and is not on the property of the developer. The Developer may choose to remove connections to that sewer line but cannot remove the line itself.
16. The applicant shall connect to or extend public storm sewer connecting directly to a public storm structure that is either in the public sidewalk or terrace area, or inlet at the curb on the side of the street, adjacent to the development. Any storm lateral extension crossing any lanes of traffic or running longitudinally within a public street right of way for over 20ft, in order to connect to the public system, shall be considered a private storm sewer lateral and will require an approved and recorded privilege in streets agreement. (POLICY)
17. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)

18. Construct sidewalk, terrace, curb & gutter and pavement to a plan as approved by City Engineer
19. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
20. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
21. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
22. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
23. 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.
24. Wilson St is proposed for reconstruction in 2024. Coordinate construction activities with City's Contractor. Street Occupancy may be limited during this time.
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. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) 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. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.  
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.

27. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.  
The Storm Water Management Plan & Report shall include compliance with the following:  
Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.  
Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))  
Rate Control Redevelopment: By design detain the 10-year post construction design storm such that the peak discharge during this event is reduced 15% compared to the peak discharge from the 10-year design storm in the existing condition of the site. Further, the volumetric discharge leaving the post development site in the 10year storm event shall be reduced by 5% compared to the volumetric discharge from the site in an existing condition during the 10-year storm event. These required rate and volume reductions shall be completed, using green infrastructure that captures at least the first 1/2 inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first 1/2 inch of rainfall, either green or non-green infrastructure may be used.  
TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.  
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.
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 [ttroster@cityofmadison.com](mailto:ttroster@cityofmadison.com) (West).

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

29. Grant a Public Storm Sewer Easement(s) to the City on the face of the forthcoming Certified Survey Map around the existing City storm sewer structure to remain at the South parcel corner.
30. Grant a Public Sidewalk Easement(s) to the City on the face of the forthcoming Certified Survey Map as required by City Traffic Engineer to allow for a six (6) foot sidewalk, eight (8) foot terrace and additional one (1) foot for maintenance along E. Wilson Street
31. Any planters that are outside of the normal specification of what the City would accept as maintenance agreement that are shown encroaching into the E Wilson Street right of way, would require a Privilege in Streets Agreement.. Note Wilson St is proposed for reconstruction in 2024 and any proposed ROW improvements may conflict with plan and would not be allowed. Make an application with City of Madison

Real Estate for a privilege in streets agreement. Link as follows - <http://www.cityofmadison.com/developmentcenter/landdevelopment/streetencroachment.cfm>. An approval of the development does not constitute or guarantee approval of any encroachments within a public right of way.

32. The proposed parcels within this development (and/or adjacent to) are dependent on each other for overland and subsurface storm water drainage. A private Storm Sewer/Drainage Easement/Agreement for all parcels within (and/or adjacent to) this development shall be drafted, executed and recorded prior to building permit issuance. The existing catch basin in the Loading Dock area between the 101 E Wilson DOA Building and the proposed site appears to catch all of the water in from the adjacent parcel within the paved area. Record an agreement over this area or consider amending and/or replacing the access agreement in Document 2250794 for the same area with the stormwater elements included.
33. Applicant shall obtain a permit to work within the WisDOT Railroad Right of Way for the proposed utility work within the Right of Way. Additionally an new structure is shown proposed within the Right-of-Way. An Easement or License for permission to place such a structure in this Right-of-Way will have to be negotiated with WisDOT and the Rail Road.
34. 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.
35. Coordinate all proposed changes to area within easement for access and setbacks per Document No. 2250794, and Document No. 3703923 with all interested parties. Revise and amend agreement as needed to allow for the proposed changes, repairs and maintenance if needed.
36. Coordinate and request from the utility companies serving this area the easements required to serve this development.
37. The Owner / Developer / Contractor are collectively responsible to obtain the necessary rights / easement / permission for any disturbance of adjacent building and lands in conjunction with Demolition and the construction of the new foundation and building for this project prior to any construction activities, or provide proof that construction will not impact the adjacent lands.
38. The address of 121 E Wilson St will be retired and archived with the demolition of the existing building. The address of the proposed building is 109 E Wilson St. 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.

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

39. If Common Council ultimately decides that public parking is to be removed and replaced with a loading zone, the loss of metered parking stalls represents a substantial revenue loss to the City Parking Utility. The applicant shall be required to compensate the Parking Utility for the net present value of the revenue stream for the next twenty years (currently \$44,331.10) for each parking stall removed as a result of this project.

40. 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.

41. 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.
42. 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.
43. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
44. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
45. 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.
46. 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.
47. 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.
48. 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.
49. All parking ramps as they approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
50. 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.

51. 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.
52. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the Public Right-of-Way on E. Wilson Street will be granted for construction purposes. Provide a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.
53. 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)
54. The applicant shall submit a TIA to be reviewed and approved by City Traffic Engineering prior to sign-off.

**Fire Department** (Contact Bill Sullivan, 886-4691)

55. Ensure all systems required by IBC Section 403 High-rise buildings are provided including Fire Service Elevators.
56. All proposed fire pits/tables shall comply with MGO 34 including timers and emergency shut-offs. Please consider safer and environmental friendly outdoor heating options.

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

57. 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# 22030 when contacting Parks about this project.

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

58. No later than five business days prior to forming concrete and constructing tree grate sites, the Contractor shall contact City Forestry at (608) 266-4816 to identify and locate underground conflicts (utilities, vaults, conduit) or other underground obstructions and determine grate locations. The Contractor will be required to obtain the grate, matching frame and/or tree guard. Tree grate type and matching frame: Neenah 4x8 (R-8815-A). Tree guard Neenah (R-8501-4818). Add as a note on both the landscape and street tree plan set.
59. Tree grates are the property of the City of Madison. The Contractor shall contact City Forestry at (608) 266-4816 to schedule delivery of salvaged tree grates to City Forestry facility. Add as a note on the demolition and street tree plan set.
60. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory shall include the following:

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

61. 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.
62. City Forestry will issue a street tree removal permit for 3" Elm tree due to equipment staging along E Wilson Street. 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.
63. 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)

64. This property is in a Wellhead Protection District–Zone (WP-17). Applicant shall provide the Madison Water Utility with confirmation that no hazardous and/or toxic materials will be stored on site, and that all proposed uses of this site comply with the City of Madison Wellhead Protection Ordinance. Any future change in use for this property will require review by the Madison Water Utility General Manager or his designated representative. Contact Jeff Belshaw at [Jbelshaw@madisonwater.org](mailto:Jbelshaw@madisonwater.org) for additional information, including a summary of the submittal requirements.

65. 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.
66. 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 has reviewed this request and has recommended no conditions of approval.*

### **Certified Survey Map**

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

1. 1942 and 1950 Sanborn Fire Insurance maps for the property show a filling station with 4 underground storage tanks. If contamination or tanks are encountered, follow all WDNR and DSPS regulations for proper handling and disposal. Contact Brynn Bemis for copies of the maps at [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com) or 608.695.1385.
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 sidewalk, terrace, curb & gutter and pavement 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. 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](mailto:ttroester@cityofmadison.com)) or Brenda Stanley (East) at 608-261-9127 ([bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com)) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)

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

6. Grant a Public Storm Sewer Easement(s) to the City on the face of this Certified Survey Map or Plat around the existing storm sewer structure located at the South corner of the Parcel with the size to be determined by City Engineering with the following conditions.
  - a) No above-ground improvements other than storm sewer related improvements shall be allowed in the Public Storm Sewer Easement Area(s) by the City or the property owner (Optional: pavement and/or concrete for driveway purposes shall be permitted.)
  - b) Plantings and landscaping within the Public Storm Sewer Easement Area(s) shall permitted with conditions.
  - c) The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division. Contact Jule Smith of Engineering Mapping ([jsmith4@cityofmadison.com](mailto:jsmith4@cityofmadison.com), 608-264-9276) for the final required easement language.
7. Grant a Public Sidewalk Easement(s) to the City on the face of this Certified Survey Map, as required by City Engineering and Traffic Engineering. Contact Jule Smith [jsmith4@CityofMadison.com](mailto:jsmith4@CityofMadison.com) with Engineering Mapping for the required language to include.
8. The proposed parcels within this development (and/or adjacent to) are dependent on each other for



overland and subsurface storm water drainage. A private Storm Sewer/Drainage Easement/Agreement for all parcels within (and/or adjacent to) this development shall be drafted, executed and recorded prior to building permit issuance. There is an existing Catch Basin located in the loading dock area described in provided Doc No. 2250794 however this Document does not provided for any drainage or storm rights in this specific area. Record an additional agreement as noted above or amend this agreement to address the cross drainage and storm sewer, note existing agreement may need amendments due to proposed developments as it has time limits imposed from building demolition.

9. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final plat.
10. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jule Smith (jsmith4@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
11. Correct the street name spelling to S Pinckney Street. Correct underlying plat name spelling on all pages to Original Plat.
12. Verify location and length from section tie/lead in line.
13. Missing ~ 9' call along the southeasterly line (Lot 3 side) of the easement detail shown on sheet 5 of 6 add the missing call and show the recorded as bearings and distances for this easement.
14. Submit to Jule Smith, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work, preferably closed polylines for lot lines, shall be void of gaps and overlaps and match the final recorded plat:
  - a) Right-of-Way lines (public and private)
  - b) Lot lines
  - c) Lot numbers
  - d) Lot/Plat dimensions
  - e) Street names
  - f) Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)NOTE: This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data for any changes subsequent to any submittal.

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

15. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along E. Wilson Street.

16. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the Public Right-of-Way on E. Wilson Street will be granted for construction purposes. Provide

a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.

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

17. 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# 22030 when contacting Parks
18. 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."
19. The Parks Division shall be required to sign off on this CSM.

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

20. The following information shall be noted on the CSM prior to final approval: The properties are located within Wellhead Protection District—Zone (WP-17). Uses of the properties are required to comply with the City of Madison Wellhead Protection requirements as provided under MGO Sections 13.22 and 28.102.

**Office of Real Estate Services** (Contact Lance Vest, 245-5794)

21. 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.
22. 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).
23. As of September 23, 2022, the 2021 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

24. As of September 23, 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.

25. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to ORES via email to Lance Vest (lvest@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 (July 25, 2022) submitted with the CSM application and include all associated documents that have been recorded since the initial title report. A title commitment may be provided, but will be considered only as supplementary information to the title report update. Surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.
26. Revise the reference to “Block 105 – Lot 2” south of the lands within the CSM boundary. The reference should be to Block 106.

*The Planning Division, Office of the Zoning Administrator, Fire Department, City Assessor, and Metro Transit have reviewed this request and have recommended no conditions of approval.*