



PREPARED FOR THE PLAN COMMISSION

Project Address: 2007 Roth Street (District 12)
Application Type: Conditional Use; Certified Survey Map referral
Legistar File ID # [74056](#), [74721](#), [74065](#)
Prepared By: Colin Punt, Planning Division
Report includes comments from other City agencies, as noted.
Reviewed By: Heather Stouder, AICP, Planning Division Director
Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Kevin McDonell; Lincoln Avenue Capital; 401 Wilshire Blvd #1070; Santa Monica, CA 90401

Contact: Marc Ott; JLA; 200 W. Broadway #200; Monona, WI 53713

Owner: Kraft Heinz Food Company; 1 Ppg Place; Pittsburgh, PA 15222

Requested Action: The applicant is seeking approval of a three-lot Certified Survey Map ([ID 74065](#)) and approval of the following conditional uses:

- A multi-family dwelling with greater than 60 units per §28.032(1) MGO on Lot 1 ([ID 74056](#))
- A multi-family dwelling with greater than 60 units and accessory outdoor recreation per §28.032(1) MGO and a condition use for heights exceeding the district maximum per §28.051(2)(b) MGO for a building on Lot 2 ([ID 74721](#));

Proposal Summary: The applicant is seeking approvals to construct a six-story, 250-unit apartment building and a seven-story, 303-unit apartment building on two lots created via CSM. A third lot is intended for parks and open space purposes.

Applicable Regulations & Standards: Standards for conditional use approval are found in §28.183(6) MGO. Standards for land divisions are found in §16.23 MGO

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

Summary Recommendations: The Planning Division recommends the following to the Plan Commission regarding the applications for 2007 Roth Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission could find that the standards for conditional uses are met for Lot 1 (ID 74056), subject to the conditions from reviewing agencies beginning on page 10;
- That the Plan Commission find that the standards for conditional uses are met for Lot 2 (ID 74721), subject to the conditions from reviewing agencies beginning on page 10;
- That the Plan Commission forward the certified survey map (ID 74065) to Common Council with a recommendation to approve, subject to the conditions from reviewing agencies beginning on page 19;

Background Information

Parcel Location: The subject site is generally bounded by Roth Street on the north, Commercial Avenue on the south, North Sherman Avenue and a Wisconsin & Southern railroad to the west, and a Canadian Pacific railroad

to the east. The entire site is approximately 29.2 acres, and the two proposed development sites, located along the eastern edge of the parcel are approximately 3.12 and 8.47 acres. The site is within Alder District 12 and the Madison Municipal School District.

Existing Conditions and Land Use: Other than some parking and vehicle access drives, the site is currently vacant. Uses on adjacent parcel have encroached on the subject site. The eastern third of the site is zoned TR-U2 (Traditional Residential-Urban 2 district). The western portion is zoned CN (conservancy district).

Surrounding Land Uses and Zoning:

North: Two vacant lots zoned IL and a tavern zoned CC-T (Commercial Corridor-Transitional);

West: Beyond the vacant lot proposed for CN zoning, small commercial buildings zoned CC-T and warehouse and industrial buildings zone IL(Industrial Limited district);

South: Warehousing, industrial, and commercial buildings zoned IL; and

East: Canadian Pacific Railway line zoned IL, with former Oscar Mayer campus beyond zoned IL and RMX (Regional Mixed Use district).

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends the site for Industrial land uses. The [Oscar Mayer Special Area Plan](#) (2020) recommends medium residential, high residential, and community mixed-use and height recommendations between 3 and 10 stories, depending on the specific location within the site as described in more detail below. The older [Emerson East-Eken Park-Yahara Neighborhood Plan](#) (2016) and [Northport-Warner Park-Sherman Neighborhood Plan](#) (2009), recommend employment uses at heights up to four stories.

Zoning Summary: The subject property is zoned TR-U2 (Traditional Residential - Urban 2 District):

Lot 1

| Requirements | Required | Proposed |
|----------------------------------|---|--|
| Lot Area (sq. ft.) | 350 sq. ft./d.u. (87,500 sq. ft.) | 135,854 sq. ft. |
| Lot Width | 50' | >50' |
| Front Yard Setback | 15' | 16.3' |
| Max. Front Yard Setback | 30' or up to 20% greater than block average | 16.3' |
| Side Yard Setback | 10' | 14.5' north side yard 16.0' south side yard |
| Reverse Corner Side Yard Setback | 12' | N/A |
| Rear Yard Setback | Lesser of 25% lot depth or 20' | 45.1' |
| Usable Open Space | 40 sq. ft./d.u. (10,000 sq. ft.) | Adequate (see Zoning comment 6) |
| Maximum Lot Coverage | 80% | 75% |
| Maximum Building Height | 6 stories/78' | 6 stories/<78' |

| Site Design | Required | Proposed |
|-----------------------|---|---|
| Number Parking Stalls | Multi-family dwelling: 1 per dwelling (250) | 285 garage (see Zoning comments 5 & 8) |
| Accessible Stalls | Yes | Yes |
| Loading | Not required | Drop-off/ pick-up area |

| | | |
|----------------------------|--|--|
| Number Bike Parking Stalls | Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (250) 1 guest space per 10 units (25) | 281 garage 30 surface (311 total) (see Zoning comment 10) |
| Landscaping and Screening | Yes | Yes (see Zoning comments 12 & 13) |
| Lighting | Yes | Yes |
| Building Forms | Yes | Large multi-family building (see Zoning comment 14 & 15) |

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|------------------------------------|---|
| Other Critical Zoning Items | Barrier Free (ILHR 69), Utility Easements, Wetlands |
|------------------------------------|---|

Lot 2

| Requirements | Required | Proposed |
|----------------------------------|---|---|
| Lot Area (sq. ft.) | 350 sq. ft./d.u. (106,050 sq. ft.) | 368,794 sq. ft. |
| Lot Width | 50' | 518.66' |
| Front Yard Setback | 15' | 16.3' |
| Max. Front Yard Setback | 30' or up to 20% greater than block average | 16.3' |
| Side Yard Setback | 10' | 32.5' north side yard Adequate south side yard |
| Reverse Corner Side Yard Setback | 12' | NA |
| Rear Yard Setback | Lesser of 25% lot depth or 20' | 45.0' |
| Usable Open Space | 40 sq. ft./d.u. (12,120 sq. ft.) | Adequate (see Zoning comment 6) |
| Maximum Lot Coverage | 80% | 43% |
| Maximum Building Height | 6 stories/78' | 7 stories/less than 78' |

| Site Design | Required | Proposed |
|----------------------------|--|--|
| Number Parking Stalls | Multi-family dwelling: 1 per dwelling (303) | 373 garage 12 surface (385 total) (see Zoning comment 9) |
| Accessible Stalls | Yes | Yes |
| Loading | Not required | Unloading zones |
| Number Bike Parking Stalls | Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (382) 1 guest space per 10 units (30) | 412 garage 36 surface (448 total) (see Zoning comment 11) |
| Landscaping and Screening | Yes | Yes (see Zoning comments 12 & 13) |
| Lighting | Yes | Yes |
| Building Forms | Yes | Large multi-family building (see Zoning comment 14 & 15) |

| | |
|------------------------------------|---|
| Other Critical Zoning Items | Barrier Free (ILHR 69), Utility Easements, Wetlands |
|------------------------------------|---|

Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: Much of the western portion of the site, generally confined to Lot 3 of the CSM, is within a mapped Dane County environmental corridor. An “leg” of the environmental corridor extends eastward

from the main body to the adjacent Canadian Pacific railroad approximately following the proposed Coolidge Street right of way.

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

Project Description

The applicant is seeking approval of the necessary conditional uses to construct a six-story apartment building and a seven-story apartment building on two of three lots created by CSM. The two buildings are proposed on two building sites east of the proposed Huxley street, one north (Lot 1) and one south (Lot 2) of the proposed extension of Coolidge Street.

Certified Survey Map

The applicant has submitted a certified survey map to create three lots: one lot for each building site north (Lot 1) and south (Lot 2) of the future Coolidge Street extension and one lot east of the future Huxley/Ruskin Street extension for conservancy and park space (Lot 3). The proposed lots and dedicated rights of way follow the official mapping alignments and zoning map amendment previously approved by Common Council.

Lot 1 (Age-Restricted Building)

The proposed northern building on Lot 1 is six stories tall and includes 250 age-restricted dwelling units. The proposed unit mix includes 143 one-bedroom units and 107 two-bedroom units, for a total of 357 bedrooms. Most units have private balconies and two first-floor units along Roth Street (north façade) and two first-floor units along Coolidge Street (south façade) feature walk-up entrances. The first and fourth floors also include community spaces such as meeting rooms, exercise rooms, and other gathering spaces. The building, with three wings extending east, includes two roof decks above the parking structure between the three residential wing towers. The two rooftop decks include walking paths, seating areas, and intensive and varied green roof planting areas. The primary entrance on Huxley Street is accessed via a looped driveway with *porte cochere*. A masonry veneer is the primary first-floor exterior material and extends up the lower four stories of the tower wing over the main entrance and *porte cochere*. The primary façade materials for the upper five floors are a light gray fiber cement panel, a light gray vertical siding-style fiber cement panel, and a dark gray horizontal siding-style fiber cement panel. Accent materials include wood-tone and yellow accent fiber cement panels. The applicant has also indicated they will be working with Dane Arts to engage local artists for a potential mural on the east façades of the two parking structures, which face the railroad corridor. The applicant has indicated the building will be constructed to be solar-ready, but the applicant has not committed to installing rooftop solar power systems at this time.

The submitted plans show 285 vehicle parking stalls in the three-level structured parking that occupies most of the lower stories and is wrapped on the north, west, and south by residential units. An additional 281 bicycle parking stalls are also included in the parking structure. A driveway along the back (east) side of the building adjacent to the rail line runs connects Roth Street to Coolidge Street and provides access to the two entrances to the structured parking. A dog run and a refuse container enclosure are located between the vehicle entrances.

Landscaping generally includes low-level plantings at the base of the building, with small ornamental trees around the perimeter of the site. The rest of the site is proposed to be planted with turf grass and prairie grasses. Bioretention basins are located on north and west sides of building. Walking paths and seating areas are placed along the Huxley Street frontage. New street trees are proposed along Huxley Street and Coolidge Street.

Lot 2 (Family Building)

The proposed southern building on Lot 2 is seven stories tall and includes 303 dwelling units. The proposed unit mix includes 49 one-bedroom units, 135 two-bedroom units, 85 three-bedroom units, and 34 four-bedroom units, for a total of 710 bedrooms. The building plan resembles two back-to-back “E” shapes, with two courtyards facing west and one facing east between the residential wing towers, with the other east-facing “void” occupied by a parking structure. There are six stories of structured residential space, but the building is considered a seven-story building according to the definitions of the zoning code due to the access to the highest parking deck at roof level. The primary entrance on Huxley Street in the center tower wing, which also includes offices and community rooms near the entrance. The first floor also includes a clubroom opening onto the swimming pool and a community service and job training space. Four first-floor units along the north façade (Coolidge Street) and five first-floor units along the south façade have private walk-up entrances. There are also several secondary entrances on the north, south, and east facades, and within the courtyards. Most units have private balconies. A red-brick masonry veneer is the primary first-floor exterior material, and features primarily on the lower four stories of the central tower wing over the two-story glass main entrance. The primary façade materials for the upper five floors are a light gray fiber cement panel and a dark gray vertical siding-style fiber cement panel. Accent materials include wood-tone and blue accent fiber cement panels. The applicant has also indicated they will be working with Dane Arts to engage local artists for a potential mural on the east façades of the two parking structures, which face the railroad corridor. The applicant has indicated the building will be constructed to be solar-ready, but the applicant has not committed to installing rooftop solar power systems at this time.

The northeast courtyard is primarily open space with turf grass with seating areas and grilling and picnicking space. An enclosed dog run is located just east of the courtyard. The northwest courtyard includes a swimming pool, as well as seating areas and grilling and picnicking spaces. The southwest courtyard is programmed with a playground, benches, and picnic tables.

The 7-level structured parking that occupies most of the lower stories and is wrapped on the north, west, and south by residential units houses 446 vehicle parking stalls. An additional 412 bicycle parking stalls are included in the lower three floors of the parking structure. The top deck of the parking structure, at the roof-top level, is accessed via two elevators and two stair towers. Driveway along the back (east) side of the building adjacent to the rail line runs is accessed via a driveway on Huxley Street south of the building and provides access to the two entrances to the structured parking. A refuse container enclosure are located between the vehicle entrances.

Landscaping includes low-level plantings at the base of the building, with small ornamental trees around the perimeter of the site. The rest of the site is proposed to be planted with turf grass and prairie grasses. The courtyards are generally landscaped with low plantings around perimeter of courtyard, as well as the “openings” toward the street or railroad, and several ornamental trees. A large bioretention basin is located at the southeast corner of the site, south of the proposed driveway that accesses the structured parking. New street trees are proposed along Huxley Street and Coolidge Street.

General Proposal Information

The site had previously been used for fuel storage and portions of the open space have been used to dump construction and paving materials. The Hartmeyer Property includes an open Environmental Repair Program (ERP) site (Wisconsin Department of Natural Resources [WDNR] Bureau for Remediation and Redevelopment Tracking System [BRRTS] number [02-13-580328](#)). An ‘open’ site is an activity in need of cleanup or where cleanup is still underway and ERP sites are sites other than leaking underground storage tanks that have contaminated soil and/or groundwater. Examples of ERP sites include industrial spills or releases that require long-term

investigation, buried containers of hazardous substances or closed landfills that have caused contamination, and petroleum contamination from above-ground storage tanks. The applicant has done environmental testing and has been in contact with WDNR staff regarding groundwater testing, soil sampling, and continuing remediation projects.

If approved the applicant intends to begin construction of the buildings in spring 2023, with completion by autumn 2024.

Analysis & Conclusion

These requests are subject to the standards for conditional uses and land divisions. This section begins with a summary of adopted plan recommendations, followed by conditional use standards, land division standards, and finally a conclusion.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends the site for Industrial land uses, which would accommodate manufacturing, wholesale, storage, distribution, transportation, repair/maintenance, and utility uses. The [Oscar Mayer Special Area Plan](#) (2020) recommends medium residential for the area nearest the planned open space, high residential to the east of that and in the northeast corner of the site, and community mixed-use immediately west of the CP railroad. Medium Residential uses include a variety of relatively intense housing types, including rowhouses, small multifamily buildings, and large multifamily buildings. Development is expected to be 2-5 stories, with residential densities of 20-90 dwelling units per acre. High Residential areas include large multifamily buildings or complexes at heights of 4-12 stories and densities greater than 70 dwelling units per acre. Community Mixed Use areas include an intensive mix of residential, commercial, and civic uses serving residents and visitors from the surrounding area and the community as whole. Development is expected to be 2-6 stories, with residential densities of up to 130 dwelling units per acre. The plan also makes specific height recommendations for the area, recommending heights of 3-5 stories for the Huxley Street extended street frontage, stepping up to 3-6 stories in the northeast corner of the site and 3-10 stories along the railroad corridor to the east. Staff notes that the adopting resolution for the [Oscar Mayer Special Area Plan](#) states the Plan and recommendations contained therein are adopted as a supplement to the [Comprehensive Plan](#) and therefore the land use recommendations should supplant those of the [Comprehensive Plan](#). The older [Emerson East-Eken Park-Yahara Neighborhood Plan](#) (2016) includes the site but defers land use recommendations to the earlier [Northport-Warner Park-Sherman Neighborhood Plan](#) (2009), which provides conceptual designs for the area that generally include employment uses, but may also include (then) existing Oscar Mayer industrial uses and a mix of other uses, with heights up to four stories.

Staff believe the proposal is generally consistent with the most contemporary land use recommendations, as well as the proactive zoning actions undertaken by the Common Council to implement the land use recommendations of the [Oscar Mayer Special Area Plan](#). Staff does note that while the plan recommends a maximum building height of five stories along the Huxley Street frontage, both proposed buildings are six stories at the street. However, six stories is a permitted height for buildings in the TR-U2 district. Staff also note that the rooftop parking access on the building on Lot 2 constitutes a seventh story, but that it is within an area recommended for up to ten stories and staff believes it to be consistent with those recommendations.

Conditional Use Standards

In regards to conditional use approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of §28.183(6) MGO are met. With regards to the City's adopted plan recommendations, as mentioned above, the Planning Division believes that the proposal can be found consistent with the recommendations of the [Comprehensive Plan](#) and [Oscar Mayer Special Area Plan](#). 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.

Lot 1

The applicant is seeking approval of a conditional use in the TR-U2 district for multi-family dwelling with greater than 60 units per §28.032(1) MGO on Lot 1. Staff provide the following comments regarding Conditional Use approval standards one and nine.

Conditional Use standard of approval one states that the *"establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare."* As noted above, the "Hartmeyer Property" is an open contaminant site (WDNR BRRTS [02-13-580328](#)). The applicant team has begun environmental testing and has been in contact with WDNR staff regarding groundwater testing, soil sampling, and continuing remediation projects. In addition to the WDNR documentation available for review at the BRRTS link above, the applicant has provided a [report](#) regarding the status of existing environmental issues. The City Engineering Division has recommended conditions of approval, which are attached as typical to the land division, that the applicant provide to the Engineering Division proof of coordination with the WDNR to further investigate contaminants, mitigate and remediate as necessary, and close the site. The Engineering Division will also determine if a Phase 2 Environmental Site Assessment will be required after the applicant provides a required Phase 1 environmental site assessment per ASTM (formerly known as the American Society for Testing and Materials) standards.

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."* Former District 12 Alder Abbas requested a referral of this proposal to the Urban Design Commission to make an advisory recommendation to Plan Commission regarding the design and aesthetics of the proposal. At its November 30, 2022 meeting, UDC recommended that Plan Commission not approve the development as proposed with the recommendation that the Plan Commission request a redesign that responds to the neighborhood plans, with the following comments that the redesign includes an architectural design that:

- Carries forward traditional neighborhood design principles,
- Emphasizes a pedestrian scale at the ground level with improved materials,
- Includes improved mass and void articulation that activates the street, specifically along Huxley, and
- Modifies the site plan for a more urban and less suburban format that improves street activation.

Please see the [UDC report](#) for November 30 for more information regarding the UDC discussion. Staff notes that the UDC's motion provided some direction on items that were of the most significant design concern, which included comments related to improving the building's orientation and activation at the ground level. As noted in the linked report, members of the Commission commented that both the street level orientation and material selection and organization was preferable with the Lot 2 building.

Since that meeting, the applicant team has made [modifications](#) as a response to some of the comments provided by the UDC. While no significant modifications have been made to the overall site plan or programming, several subsequent improvements have been presented by the development team including the addition of landscaping, sidewalks, and pedestrian amenities around the *porte cochere*. The applicant has also revised the application of materials and have provided a more regular hierarchy of materials and organization which were also in response to some of the UDC's comments. Staff have provided a condition that if approved, final plans be provided to reflect these modifications shown in the most current concept along with other items that staff have discussed with the applicant team.

Lot 2

The applicant is seeking approval of conditional uses in the TR-U2 district for multi-family dwelling with greater than 60 units and accessory outdoor recreation per §28.032(1) MGO and a conditional use for heights exceeding the district maximum per §28.051(2)(b) MGO for a building on Lot 2. Staff provide the following comments regarding Conditional Use approval standards one, nine, and twelve.

Conditional Use standard of approval one states that the *“establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.”* As noted above, the “Hartmeyer Property” is an open contaminant site (WDNR BRRS [02-13-580328](#)). The applicant team has begun environmental testing and has been in contact with WDNR staff regarding groundwater testing, soil sampling, and continuing remediation projects. In addition to the WDNR documentation available for review at the BRRS link above, the applicant has provided a [report](#) regarding the status of existing environmental issues. The City Engineering Division has recommended conditions of approval, which are attached as typical to the land division, that the applicant provide to the Engineering Division proof of coordination with the WDNR to further investigate contaminants, mitigate and remediate as necessary, and close the site. The Engineering Division will also determine if a Phase 2 Environmental Site Assessment will be required after the applicant provides a required Phase 1 environmental site assessment per ASTM (formerly known as the American Society for Testing and Materials) standards.

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.”* Former District 12 Alder Abbas requested a referral of this proposal to the Urban Design Commission to make an advisory recommendation to Plan Commission regarding the design and aesthetics of the proposal. At its November 30, 2022 meeting, UDC recommended that Plan Commission approve the development at Lot 2 as proposed, including the following notes and suggestions:

- The UDC finds that the project meets the design goals of street activation and the general building mass is acceptable, and overall building height related to the elevator towers.
- The UDC requests consideration of including community garden planting beds in areas that are accessible and well lit.
- The developer should minimize the appearance and effect of the rooftop parking to the greatest extent possible, including utilizing cutoff lights with shades, minimize protrusions and unsightly infrastructure for the parking deck.

Given the recommendation of the UDC, staff believes standard nine can be found met for the request at Lot 2.

Conditional Use standard of approval twelve states that for height in excess of that allowed in the zoning district, the Plan Commission shall consider recommendations in adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows and view; architectural quality and amenities; the relationship of the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits. The maximum building height permitted in the TR-U2 district is six stories and 78 feet;

heights in excess of six stories or 78 feet are allowed as a conditional use. The general mass of the proposed building on Lot 2 is six stories and the overall height is less than 78 feet, but the stair and elevator access for the rooftop parking deck constitute a seventh story. The two stair towers and two elevator towers are all located in the southeast quadrant of the building and each is set back at least 200 feet from both Huxley Street and Coolidge Street. The total area of all seventh-floor spaces is 728 square feet. Staff believe that because of the overall small area of the seventh story and the fact that the Oscar Mayer Special Area Plan recommends building heights up to 10 stories on the easternmost portion of the site, the Plan Commission can find standard of approval twelve met.

Land Division

The applicant has submitted a certified survey map to create three lots: two lots for each development site north and south of the Coolidge Street extension and one lot west of the Huxley/Ruskin Street extension for conservancy and park space. The proposed lots and rights of way dedications follow the zoning map amendment ([ID 69517](#)) and official mapping alignments ([ID 69519](#)) previously reviewed by the Plan Commission and approved by Common Council on June 21, 2022. 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 with underlying land use recommendations of the Oscar Mayer Special Area Plan, which supplants the Comprehensive Plan recommendation for Industrial land uses. Staff also believes the standards for land divisions can be found met.

On balance, when considering the Plan recommendations and the recommended conditions of approval, specifically those related to environmental remediation and the design modifications made to meet conditional use standard of approval nine, staff believes that it is possible for the Plan Commission to find the applicable standards met for the conditional use request on Lot 1.

When considering the Plan recommendations and the recommended conditions of approval, specifically those related to environmental remediation, staff believes the Plan Commission can find the applicable standards met for the conditional use requests on Lot 2.

Staff have received several comments regarding these requests from the public, which have been attached in the Legislative Information Center.

Recommendation

Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends the following to the Plan Commission regarding the applications for 2007 Roth Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies

- That the Plan Commission could find that the standards for conditional uses are met for Lot 1 (ID 74056), subject to the conditions from reviewing agencies beginning on page 10;
- That the Plan Commission find that the standards for conditional uses are met for Lot 2 (ID 74721), subject to the conditions from reviewing agencies beginning on page 10;
- That the Plan Commission forward the certified survey map (ID 74065) to Common Council with a recommendation to approve, subject to the conditions from reviewing agencies beginning on page 19;

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

Land Use Request (ID 74056 & 74721)

NB: Recommended conditions of approval may apply to the proposal on Lot 1, Lot 2, or both. Conditions without a site clarification apply to both items.

Planning Division (Contact Colin Punt, 243-0455)

1. Final elevation drawings for the Lot 1 building shall be revised to include the modifications demonstrated in the applicant's recent conceptual renderings as noted below. The following shall be provided on both black and white and color elevations and floor and site plans for review and approval by Planning Division Staff:
 - With the required removal of parking in front of the *porte cochere*, add additional landscaping and pedestrian connections, and minimize the size of the canopy structure to the extent possible;
 - Extend the masonry brick up the entire vertical element above the *porte cochere* (as depicted by the applicant);
 - Include more or larger windows and include at least one additional direct connection to the public sidewalk at the end of the southern-most building wing on the first floor facing Huxley Street;
 - Replace the yellow accent panel with a red accent panel (as depicted by the applicant);
 - Replace the existing masonry brick color with a more red color (as depicted by the applicant);
 - Remove the solid partial wall treatment on balconies to reflect a more open rail design that was depicted on the original submittal in order to provide more vertical modulation along the facades.
2. Per the UDC's advisory recommendation, the applicant shall make the following modifications to Lot 2 for review and approval by Planning Division Staff:
 - Consider including community garden planting beds on Lot 2 for use by building residents.
 - Minimize the appearance of the rooftop parking to the greatest extent possible by utilizing lighting cutoffs and minimizing infrastructure and structural protrusions.
3. No HVAC "wall-pack" penetrations/louvers are shown on the street-facing facades. Unless specifically approved by the Plan Commission, the addition of wall packs on outward-facing walls is not included in this approval and will require approval of an alteration to this conditional use should they be proposed at a later time.
4. This property was historically associated with locations of Native American effigy mounds and archeological sites, but no intact effigy mounds or archeological sites currently remain. If a burial site disturbance occurs during the construction work the work shall stop immediately until the Wisconsin Historical Society is able to assess the site.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

5. Lot 1: Eliminate the surface parking stalls located between the front of the building and Huxley St. For new large multi-family building forms, parking shall be located behind or beside each building, below the building, or in a common parking court in the interior of a block.
6. Lots 1 and 2: Update the useable open space exhibit to exclude the useable open space areas that are shown within the front and street side yard setbacks. Usable open space at ground level shall be in a compact area of not less than two hundred (200) square feet, with no dimension less than eight (8) feet and no slope grade greater than ten percent (10%). Usable open space shall be located outside of a required front or corner side

yard, as extended to the rear lot line.

7. Lots 1 and 2: Submit a dwelling unit summary including the numbers and types of dwelling units per floor. Verify that the vehicle parking counts and bicycle parking counts are listed accurately and consistently throughout the plan set.
8. Lot 1: Provide electric vehicle stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 10% of the residential parking stalls (28 stalls) must be electric vehicle ready, and a minimum of 2% of the stalls (6 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.
9. Lot 2: Provide electric vehicle stalls per Section 28.141(8)(e) *Electric Vehicle Charging Station Requirements*. A minimum of 10% of the residential parking stalls (38 stalls) must be electric vehicle ready, and a minimum of 2% of the stalls (8 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.
10. Lot 1: 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 250 resident bicycle stalls are required plus a minimum of 25 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.
11. Lot 2: 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 382 resident bicycle stalls are required plus a minimum of 30 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.
12. Lots 1 and 2: 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.
13. Lots 1 and 2: Provide details for the outside refuse staging enclosure and the dog run fencing.
14. Lots 1 and 2: Provide a complete Exterior Materials Schedule with the building elevations. Submit the building elevations for the courtyards.
15. Lots 1 and 2: Verify whether bird-safe glazing will be required on the courtyard elevations. Provide details of the specific bird-safe glass treatment product that will be used in compliance with Section 28.129.
16. Lots 1 and 2: 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.

17. Lots 1 and 2: 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. 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)

18. Storm sewer shall be installed up Roth Street to serve this development. No stormwater discharge from this development shall be allowed to enter the adjacent wetland in any event up to and including the 200-year event.

19. A portion of the development is in the environmental corridor - a request from the Planning Department to CARPC is required to reduce the environmental corridor prior to the development.

20. 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)

21. 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)

22. Construct Madison Standard street, multi-use path, and sidewalk improvements for all streets within the plat/csm. (MGO 16.23(9)(d)6). Extend N/S street to current Ruskin St termination.

23. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat/csm. (MGO 16.23(9)(d))

24. 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))

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

26. 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.

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

28. 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.

29. A portion of this plat/csm/project may come under the jurisdiction of the US Army Corp of Engineers and Wisconsin Department of Natural Resources for wetland, flood plain, or navigable waterway issues. A permit for these items may be required prior to construction. Contact the WDNR & USACOE for a jurisdictional determination. Provide digital copy of the wetland delineation. Wetland delineations shall be <5 years old. (NOTIFICATION)
30. Submit a soil boring report that has been prepared by a Professional Engineer two weeks prior to recording the final plat to the City Engineering Division indicating the ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9' below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer. (MGO 16.23(9)(d)(2) and 16.23(7) (a)(13))
31. Confirm that adequate sight distance exists where public streets intersect per AASHTO design standards for intersection sight distance. If adequate sight distance does not exist, change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make the mitigating improvements as required by the City. Caution - The improvements indicated may require right-of-way outside of the plat/csm.
32. 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)
33. Revise plan set to show more information on proposed drainage for the site. Use either spot elevations and drainage arrows or proposed contours to show the required drainage information. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement. (POLICY)
34. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking is adjacent to a street low point. The applicant shall provide at a minimum of one (1) foot of rise from the adjacent back of walk in the driveway before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation. The stated elevation is intended to be protective but does not guarantee a flood proof structure. The Developer/Owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service that they are comfortable with.
35. 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.
36. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at

meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

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.

37. 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 New Development: Detain the 2, 5, 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.

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.

38. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or tstroester@cityofmadison.com (West).

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

39. There is a gas house, private gas lines and gas bridge improvements encroaching into the proposed Coolidge Street right of way. These are privately owned improvements. They are not owned by MG&E. MG&E provides the gas to a meter set within the Gas House. These private improvements will need to be removed from the

proposed Coolidge Street right of way, or a plan for removal shall be approved by the City Engineer, as a condition of approval. Removal can be included within the work to be performed under the developer's agreement, or the owner may enter into a lease for the use of the unimproved Coolidge Street right of way occupied by the Gas House, private gas lines and Bridge. Any such lease shall require removal of the private improvements from the dedicated right of way upon termination, and provide that if this is not done the costs thereof shall be recovered from the adjoining lots (Lots 1 and 2 of the proposed CSM) as special charges. Any such agreement allowing for a delayed removal of these improvements shall be entered into contemporaneously with the recording of the pending CSM.

40. Grant a 20' wide Public Sanitary Sewer Easement(s) to the City on the face of the pending Certified Survey Map near the east line of the Hartmeyer Parcel outside of the existing private encroachment easement extending northerly to where the sanitary sewer is to end after removal to the north to allow for a future relocate of sanitary sewer from under the existing ice arena. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) for the final required language.
41. Grant a 20' wide Public Sanitary Sewer Easement(s) to the City on the face of the pending Certified Survey Map near the Hartmeyer Parcel centered on the existing Public Sanitary Sewer to remain after the abandonment further to the north. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-2664097) for the final required language. Also show and label the portion of the existing sanitary sewer " Portion of existing Public Sanitary Sewer to be abandoned and removed."
42. Grant a 20' Wide Public Sanitary Sewer Easement to the City on the face of the pending Certified Survey Map for the relocated sanitary sewer over the easterly side of proposed lots 1 and 2 as shown on the site plans. The easement shall contain consent to occupy easement language for the private improvements planned within the easement. If the private improvements are required to removed by the City for maintenance, repair or construction of the sanitary sewer, the owner is responsible for the replacement of the private improvements and / or associated costs. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608266-4097) for the final required language.
43. The existing storm sewer that conveys public storm water bisecting this site is not subject to an easement of public record. The public storm sewer, as part of the plan, is to be rerouted from Roth Ave to Commercial Avenue via the proposed public streets per the pending CSM. Upon the rerouted of the storm sewer to Commercial being completed and the removal of the northern portion of the storm sewer, the remaining portion of storm sewer within proposed lots 2 shall be considered abandoned by the City of Madison and the Owner of proposed Lot 2 assumes (now private) ownership of the storm sewer.
44. Show a temporary limited easement for a temporary cul-de-sac on Coolidge St having a radius and a reverse curve radius as required by City of Madison Traffic Engineering and Engineering Division. The easement text is as follows: Temporary Limited Easement benefitting the City of Madison for temporary turnaround improvement purposes. Said Easement shall terminate upon the extension of Coolidge Street Easterly of this CSM along with the removal of the public temporary turnaround improvements within the easement area.
45. Private improvements are shown planned within an existing MG&E gas utility easement per Document No. 1211659 along the east side of both Lots. Applicant is responsible to obtain rights / permission for the construction of private improvements within the easement area. A conveyance of rights in land from MG&E for the portion of the easement within the proposed dedicated right of way shall also be required.

46. There is private storm sewer along the east sides of both proposed Lots 1 and 2 that runs longitudinally near the proposed Public Sanitary Sewer. The layout of the private storm sewer shall be revised to cross the sanitary sewer as near perpendicular as possible when crossing the sanitary sewer. Also the private storm sewer running longitudinally in the Roth Street right of way along the north side of Lot 1 shall be moved into the Lot.
47. The senior housing building address is 1003 Huxley St. The family housing building address is 905 Huxley 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.
48. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or early start permit.
49. 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 final approved stamped Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall provided for additional review and approval by Engineering. Per 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved.

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

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| <ol style="list-style-type: none">50. The applicant shall remove their driveway connection on Coolidge Street as it may compromise the City's future ability to secure a railroad crossing. The applicant shall work with City staff to provide an alternative site plan that does not include the proposed Coolidge Street driveway connection.51. Parking deck is insufficiently labeled/dimensioned for a proper review. If the parking does not meet MGO 10.08 the applicant can expect to be required to make major alteration which may or may not impact structural elements of this site. |
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52. 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.
 53. 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.

54. 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.
55. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
56. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
57. 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.
58. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). 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.
59. 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.
60. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Andrew Oliver, (267-1979, aoliver@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
61. 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.
62. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
63. 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.
64. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and

gutter and noted on the plan.

65. Applicant shall submit for review a Trash Removal Plan. This plan will include times, vehicle size, use of loading zones and all related steps to remove trash from its location.
66. 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))
67. Items in the Right-of-Way are not approvable through the site plan approval process. Make a note on all pages showing improvements in the ROW that states: The Right-of-Way is the sole jurisdiction of the City of Madison and is subject to change at anytime per the recommendation/plan of Traffic Engineering and City Engineering Divisions.

Fire Department (Contact Bill Sullivan, 261-9658)

68. The fire sprinkler systems shall comply with the 2022 edition of NFPA 13.

Parks Division (Contact Kate Kane, 261-9671)

69. 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 North Park-Infrastructure Impact Fee district. Please reference ID# 22041 when contacting Parks about this project.
70. Pursuant to the authority established under Wis. Stat. § 66.0617(7), and in the interests of promoting the development of low-cost housing in the City, low-cost housing is exempt from the park impact fees beginning January 1, 2017. This exemption only applies to those dwelling units or bedrooms within a development that are determined to be low-cost housing. This exemption does not extend to the land dedication requirements set forth under Sec. 16.23(8)(f), MGO, nor any other impact fees that may apply to a development.
71. The park impact fee will be exempt for developments that meet the “low-cost housing” requirements, as defined as rental or owner-occupied housing units that are affordable, as that term is defined in Sec. 4.22(2), MGO, and which meet the deed restriction requirements of Sec. 4.22(7). The determination whether a proposed development will create low-cost housing, and how much low-cost housing it will create, shall be made by the Community Development Division.

Forestry Section (Contact Jeffrey Heinecke, 266-4890)

72. 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)

73. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat/CSM per MGO 16.23(9)(d)(3).
74. All public water mains and water service laterals shall be installed by a standard City subdivision contract / City/Developer agreement. Applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.

Metro Transit (Contact Tim Sobota, 261-4289)

75. To facilitate City transit planning efforts, the applicant shall identify the accessible pedestrian connection between the building entrance(s) and public sidewalk along the nearest point of the Roth Street (Lot 1) or Coolidge Street (Lot 2) public rights-of-way.
76. The applicant shall include the location of these facilities on the final documents filed with their permit application, so that Metro Transit may review and effectively plan for City transit access to this property.

Land Division Request (ID 74065)

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

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| <ol style="list-style-type: none">1. A Phase 1 environmental site assessment (per ASTM E1527-13), is required for lands dedicated to the City. Provide one (1) digital copy and staff review will determine if a Phase 2 ESA is also required. Submit report(s) to Brynn Bemis (608-267-1986, bbemis@cityofmadison.com).2. The property is an open contaminant site with the WDNR (BRRTS #02-13-580328 HARTMEYER PROPERTY). Provide proof of coordination with the WDNR to investigate, remediate, mitigate, and close the site to Brynn Bemis (608-267-1986, bbemis@cityofmadison.com). |
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3. 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)
 4. Construct Madison Standard street, multi-use path, and sidewalk improvements for all streets within the plat/csm. (MGO 16.23(9)(d)6). Extend N/S street to current Ruskin St termination.
 5. 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)
 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. Submit a soil boring report that has been prepared by a Professional Engineer two weeks prior to recording the final plat to the City Engineering Division indicating the ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9' below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer. (MGO 16.23(9)(d)(2) and 16.23(7) (a)(13))
8. Confirm that adequate sight distance exists where public streets intersect per AASHTO design standards for intersection sight distance. If adequate sight distance does not exist, change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make the mitigating improvements as required by the City. Caution - The improvements indicated may require right-of-way outside of the plat/csm.

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

9. At the southerly end of the proposed Huxley Street to be dedicated by this Certified Survey Map, and across Lot 3, there exists a 66 foot wide private right-of-way that provides multiple private access rights per several Documents provided in the Title Report, both within the area to be dedicated and the future Lot 3. Portions of the area to be dedicated are also being currently used by the adjacent parcels for access and storage of vehicles and other materials. The acceptance of the Huxley Street area for dedication shall be dependent on the Owner providing proof of clear title for the area and release of the private right-of-way, as well as removal of encroachments within the area to be dedicated as public right of way. This also applies to the proposed PLE for Public Street Purposes proposed on this Certified Survey Map as an interim road bypass around the area not being dedicated at this time.
10. The proposed Permanent Easement for Public Street Purposes shall be granted on the Certified Survey Map. Contact Jeff Quamme (jrquamme@cityofmadison.com) for the Terms and Conditions to be placed on the Certified Survey Map.
11. There is a gas house, private gas lines and gas bridge improvements encroaching into the proposed Coolidge Street right of way. These are privately owned improvements. They are not owned by MG&E. MG&E provides the gas to a meter set within the Gas House. These private improvements will need to be removed from the proposed Coolidge Street right of way, or a plan for removal shall be approved by the City Engineer, as a condition of approval. Removal can be included within the work to be performed under the developer's agreement, or the owner may enter into a lease for the use of the unimproved Coolidge Street right of way occupied by the Gas House, private gas lines and Bridge. Any such lease shall require removal of the private improvements from the dedicated right of way upon termination, and provide that if this is not done the costs thereof shall be recovered from the adjoining lots (Lots 1 and 2 of the proposed CSM) as special charges. Any such agreement allowing for a delayed removal of these improvements shall be entered into contemporaneously with the recording of the pending CSM.
12. Conditions of approval noted herein are not intended to be construed as a review determining all title boundaries, full compliance with City of Madison Ordinances and State of Wisconsin Statutes. The licensed professional preparing the land division is fully responsible for full compliance with all Ordinances and Statutes regulating this proposed land division and a boundary that represents title of the lands included within this CSM. The boundary of this CSM as shown appears to not be fully vetted.

13. Grant a 20' wide Public Sanitary Sewer Easement(s) to the City on the face of this Certified Survey Map near the east line of the Hartmeyer Parcel outside of the existing private encroachment easement extending northerly to where the sanitary sewer is to end after removal to the north to allow for a future relocation of sanitary sewer from under the existing ice arena. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) for the final required language.
14. Grant a 20' wide Public Sanitary Sewer Easement(s) to the City on the face of the pending Certified Survey Map near the Hartmeyer Parcel centered on the existing Public Sanitary Sewer to remain after the abandonment further to the north. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-2664097) for the final required language.
15. Grant a 20' Wide Public Sanitary Sewer Easement to the City on the face of the pending Certified Survey Map for the relocated sanitary sewer planned over the easterly side of proposed Lots 1 and 2 as shown on the site plans. The easement shall contain consent to occupy easement language for the private improvements planned within the easement. If the private improvements are required to removed by the City for maintenance, repair or construction of the sanitary sewer, the owner is responsible for the replacement of the private improvements and / or associated costs. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608266-4097) for the final required language.
16. It shall be determined with City Engineering Stormwater staff if the remaining storm sewer bisecting this site after the removal of the northern portions will be public or private storm sewer. If it is determined that it will be Public, grant a Public Storm Sewer Easement(s) to the City on the face of this Certified Survey Map. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) for the final required easement language.
17. There is an MG&E easement per Doc No 2203348 that was not in the title report that is within the southerly end of proposed Huxley Street. This easement shall be released by MG&E or provide a conveyance of rights to the City of Madison.
18. Show a temporary limited easement for a temporary cul-de-sac on Coolidge St having a radius and a reverse curve radius as required by City of Madison Traffic Engineering and Engineering Division. The easement text is as follows: Temporary Limited Easement benefitting the City of Madison for temporary turnaround improvement purposes. Said Easement shall terminate upon the extension of Coolidge Street Easterly of this CSM along with the removal of the public temporary turnaround improvements within the easement area.
19. 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.
20. Correct the Document No for the easement noted on Sheet 7 to 1383555. Also show and label all improvements, including existing pavements and improvements that lie within the CSM as required by ordinance, including the gas bridge and gas house.
21. The portion of the Access Easement for the cell tower per Doc No 2203787 shall be released within the proposed right of way of Huxley Street.
22. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required

tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com)

23. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@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.
24. Correct the spelling of Railroad. (Soo Line Railroad).
25. Show and label lands acquired by the City of Madison for the culdesac at the east end of Roth St per Doc No. 1223669. Provide recorded as data from the document.
26. If the wetland contains a navigable body of water, provide the surveying information as required by Chapter 236.
27. Add the 10' Wide Gas Easement per Document NO 1211659 adjacent to the west right of way of the Railroad
28. This Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or early start permit.
29. Submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work, preferably closed polylines for lot lines, shall be void of gaps and overlaps and match the final recorded plat:
 - a) Right-of-Way lines (public and private)
 - b) Lot lines
 - c) Lot numbers
 - d) Lot/Plat dimensions
 - e) Street names
 - f) Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)NOTE: This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data for any changes subsequent to any submittal.

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

30. The applicant shall enter into a signed developer's agreement through City of Madison Engineering prior to sign off.

Parks Division (Contact Kate Kane, 261-9671)

31. 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 North Park-Infrastructure Impact Fee district. Please reference ID# 22041 when contacting Parks. 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."

32. 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."
33. Prior to sign off on the CSM the applicant shall execute a declaration of conditions and covenants for impact fees.
34. The Parks Division shall be required to sign off on this CSM.

Office of Real Estate Services (Contact Andy Miller, 261-9983)

35. 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.
36. 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). 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.
37. 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..."
38. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest, 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. Stats. Sec. 236.34 and Sec. 236.21(2)(a).
39. 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.
40. As of October 28, 2022, all 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. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off.
41. As of October 28, 2022, there are 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.

42. Pursuant to Madison City Ordinance Section 16.23, the owner shall furnish a 60 year title report via email to Andy Miller in the ORES (acmiller@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall include all associated documents. A title commitment may be provided, but will be considered only as supplementary information to the 60 year title report. Surveyor shall update the CSM with the most recent information reported in the title report. ORES reserves the right to impose additional conditions of approval in the event the title report contains changes that warrant revisions to the CSM.
43. Depict, dimension, name, note and/or identify by document number all relevant easements, declarations, plans, conditions, agreements, and other documents cited in record title and the updated title report.
44. 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.
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. Liens or judgments levied against the lands within the CSM boundary shall be satisfied, with proof of satisfaction provided prior to CSM approval sign-off.

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