

PLANNING DIVISION STAFF REPORT

September 18, 2023



PREPARED FOR THE PLAN COMMISSION

Project Address: 680 Grand Canyon Drive (District 19 – Alder Slack)
Application Type: Demolition Permit, Conditional Use, Certified Survey Map
Legistar File ID # [79319](#), [79320](#), [79336](#)
Prepared By: Colin Punt, Planning Division
Report includes comments from other City agencies, as noted.
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

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

Contact: Kevin Burow; Knothe & Bruce Architects; 8401 Greenway Blvd #900; Middleton, WI 53562

Owner: 680 Grand Canyon LLC; 544 Audubon; Kohler, WI 53044

Surveyor: Matt Haase, PE; JSD Professional Services, Inc.; 161 Horizon Dr; Verona, WI 53593

Requested Action: The applicant is seeking approval of a demolition permit to raze an existing multitenant commercial building and conditional uses for dwelling units in a mixed-use building per §28.068(2) MGO on one lot to be created by certified survey map.

Proposal Summary: The applicant is seeking approvals to demolish a commercial building to construct a four-story mixed use building with 60 dwelling units, 185 square feet of commercial space, and underground parking 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 certified survey maps are found in §16.23(3) M.G.O.

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

Summary Recommendations: The Planning Division recommends the following to the Plan Commission regarding the applications for 680 Grand Canyon Drive. 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 680 Grand Canyon Drive; subject to the conditions from reviewing agencies beginning on page 5;
- That the Plan Commission find that the standards for conditional uses are met for dwelling units in a mixed-use building in a CC district, subject to the conditions from reviewing agencies beginning on page 5;
- That the Plan Commission forward the certified survey map to the Common Council with a recommendation to approve, subject to the conditions from reviewing agencies beginning on page 13;

Background Information

Parcel Location: The subject site is 1.12 acres located at the intersection of Grand Canyon Drive and West Platte Drive. The site is within Alder District 19 (Alder Slack) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site, zoned CC (Commercial Center), is currently occupied with a 15,960-square foot, two-story, 20,280-square foot building and surface parking. The building was originally constructed in 1985.

Surrounding Land Uses and Zoning:

North: Single-story big box store building with two retail spaces zoned CC;

West: Across West Platte Drive, a self-storage and vehicle/trailer rental facility zoned CC;

South: Across Grand Canyon Drive, the West Beltline Highway; and

East: A two-story office hotel zoned CC.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Regional Mixed Use (RMU) for the site. The [Odana Area Plan](#) (2021) also recommends RMU and a maximum building height of eight stories.

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

Requirements	Required	Proposed
Front Yard Setback	5 ft	16 ft
Max. Front Yard Setback	20 ft	19 ft
Side Yard Setback	6 ft	15.7 ft, 77.62 ft
Rear Yard Setback	6 ft	10 ft
Maximum Lot Coverage	85%	62%
Maximum Building Height	5 stories/78 ft	4 stories/57.5 ft

Site Design	Required	Proposed
Number Parking Stalls	No minimum, 91 maximum	67
Electric Vehicle Stalls	5 EV ready, 1 EV installed	5 EV ready, 1 EV installed
Accessible Stalls	2	2
Loading	No	No
Number Bike Parking Stalls	76	76
Landscaping and Screening	Yes	Yes (2.)
Lighting	Yes	Yes
Building Form and Design	Yes	Flex Building

Other Critical Zoning Items	Utility Easements, TOD Overlay
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Table Prepared by Jacob Moskowitz, Assistant Zoning Administrator

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

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

Project Description

The applicant is seeking approvals to demolish an existing multitenant commercial building. The [demolition photos](#) submitted by the applicant show a building with design typical of the 1980s with updates throughout. According to the letter of intent, the building is in need of repairs and updates. There are no major structural issues known to Planning Division staff, who has not inspected the building.

Following demolition, the applicant intends to construct a four-story mixed-use building. The proposed building is L-shaped in plan, with the longer wing oriented east-west along the north property line, and the shorter north-south wing extending south from the east end of the longer wing. The mix of the 60 dwelling units includes 14 one-bedroom units, 31 two-bedroom units, and 15 three-bedroom units. Most first-floor units on the street-facing facades feature private entrances and porches, while some, including all units facing the rear have balconies, but no direct entry. All units on the upper floors have private balconies. In addition to dwelling units, the first floor includes a lobby, common spaces, and a 185 square foot commercial tenant space intended for use as a community service facility.

Vehicle parking is provided as 49 underground structured vehicle parking stalls and 18 surface vehicle parking stalls. Access to the underground parking is at the northeast corner of the building. The surface parking lot and trash enclosure are located along the east property line. All parking is accessed from Grand Canyon Drive at the southeast corner of the site. Additionally, there are 68 underground structured bicycle parking stalls and 8 outdoor bicycle parking stalls.

Landscaping includes ornamental and overstory deciduous trees along the street frontages, additional ornamental and evergreen trees around the vehicle access aisles, parking lot, and trash enclosure, and shrubs, perennials, and decorative grasses around the base of the building. The yard area between the building and the street is proposed to be turf grass. A community patio is located within the “corner” of the L-shaped building, facing Grand Canyon Drive.

Primary façade materials include two shades of gray fiber cement lap siding, blue fiber cement panels, and a dark gray brick at the first floor. Secondary, trim, and detail materials include wood-toned lap siding, cast stone, composite windows, fiber cement trim.

According to the application information, the applicant intends to start demolition in spring 2024 with project completion by spring 2025.

Analysis & Conclusion

This request is subject to the standards for demolition permits, conditional uses, and land divisions. This section begins with a summary of adopted plan recommendations, followed by demolition permit standards, conditional use standards, land division standards, and a conclusion.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Regional Mixed Use (RMU) for the site. RMU generally includes high-intensity activity centers supporting a variety of multifamily housing options and commercial activities serving the whole region, with building heights of two to twelve stories and no residential density limits. The [Odana Area Plan](#) (2021) also recommends RMU and further recommends a maximum building height of eight stories. Staff does note that during the development of the [Odana Area Plan](#), staff raised the question to the Plan Commission whether areas adjacent to or very near the Beltline Highway were appropriate for the residential uses allowed in the CMU and RMU land use categories, or if those areas should be used for General Commercial or Employment uses. During those deliberations and approval of the plan, Plan Commission decided mixed uses were appropriate for those areas.

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 approval 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 June 5, 2023 meeting, the Landmarks Commission found that the existing building at 680 Grand Canyon Drive has no known historic value. Staff believes that all other applicable demolition permit standards of approval can be found met.

Conditional Use Standards

The applicant is requesting approval of a conditional use within the CC district for dwelling units in a mixed-use building. 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’s primary question related to this application relates to approval standard 1, which states, “The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.” The front line of the property is less than 140 feet from the Beltline Highway off ramp and only slightly more than 200 feet from the nearest Beltline Highway travel lane. As such, staff have concerns that highway road noise may have significant impacts on the residents of the proposed development. Staff acknowledge that residential developments have been approved in some sites within close proximity to limited access highways, including within this general area near the Beltline Highway, in situations where the use is consistent with the adopted plans. In order to address the noise impacts on the site, staff have provided an advisory note recommending that the applicant provide noise mitigation efforts in the design and construction of the building, such as sound-insulating materials and wall materials on the street-facing facades. Additional vegetation may be considered in this location as well, if space permits.

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 standards of approval for demolition permits can be found to be met. When considering the land use recommendations and the recommended conditions of approval staff believe that Plan Commission could approve the conditional uses if the Commission can find standard of approval 1 met.

At time of writing, Staff is unaware of 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 680 Grand Canyon Drive. 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 680 Grand Canyon Drive; subject to the conditions from reviewing agencies beginning below;
- That the Plan Commission find that the standards for conditional uses are met for dwelling units in a mixed-use building in a CC district, subject to the conditions from reviewing agencies beginning below;
- That the Plan Commission forward the certified survey map to the Common Council with a recommendation to approve, subject to the conditions from reviewing agencies beginning on page 13;

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

Land Use (Demolition Permit & Conditional Use):

Planning Division (Contact Colin Punt, 243-0455)

1. That the applicant is strongly encouraged to include noise attenuation measures in the construction of future development within the plat, including, but not limited to noise barriers, noise-insulated windows, additional soundproofing within wall insulation, and wall construction techniques. In the event the City of Madison provides financial support, more specific noise mitigation techniques may be required as part of an agreement for said financial support, and such strategies would be reviewed prior to issuance of building permits and inspected at appropriate stages of construction by Building Inspection staff.
2. 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.

Zoning Administrator (Contact Jacob Moskowitz, 266-4560)

3. Section 28.185(9)(b) 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 prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal

permit is valid for two (2) years from the date of the Plan Commission approval.

4. 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.
5. 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 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 are 50 sq. ft. or greater and which glass areas will be treated. Provide a detail of the specific treatment product that will be used.

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

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| <p>6. 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.</p> |
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7. 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)
 8. Construct sidewalk to a plan as approved by City Engineer
 9. 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))
 10. 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))
 11. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
 12. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
 13. 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/constformsinfo.htm>. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DPS) and no separate submittal

to this agency or CARPC is required for this project to proceed.

14. 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)
15. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
16. 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.
17. 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.
18. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
19. 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>
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.
20. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.
The Storm Water Management Plan & Report shall include compliance with the following:
Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.
Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic

modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))
Rate Control Redevelopment: By design detain the 10-year post construction design storm such that the peak discharge during this event is reduced 15% compared to the peak discharge from the 10-year design storm in the existing condition of the site. Further, the volumetric discharge leaving the post development site in the 10-year storm event shall be reduced by 5% compared to the volumetric discharge from the site in an existing condition during the 10-year storm event. These required rate and volume reductions shall be completed, using green infrastructure that captures at least the first 1/2 inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first 1/2 inch of rainfall, either green or non-green infrastructure may be used.

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

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

100-year Overflow: The applicant shall demonstrate that water can leave the site and reach the public ROW without impacting structures during a 100-year event storm. This analysis shall include reviewing overflow elevations and unintended storage occurring on site when the storm system has reached capacity.

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

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

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

22. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com) to coordinate the Real Estate project, and associated information and fees required. Proposed development intends to release a portion of a Public Sanitary Sewer Easement along Grand Canyon Drive and release drainage swale restriction along prior land division line that new structure is proposed over. Provide legal description and exhibit along with fee.

23. For underground encroachments, provide a signed and sealed Plat of Survey and legal description by a Professional Land Surveyor compliant with Chapter A-E 7 of the Wisconsin Administrative Code showing the improvements with a fully dimensioned and legally described three dimensional boundary of the encroachment area. Dimensions tied to a quarter section line and referenced to the Dane County Coordinate System and NAVD 88(91). Provide an electronic copy of the survey (pdf) and legal description (MS Word) to the Land Records Coordinator, (Jule Smith - jsmith4@cityofmadison.com) for review, comment and coordination. The encroachment agreement shall require Applicant/Owner to be a member of Diggers Hotline throughout the term of this agreement and shall adequately mark the location of underground features upon a Digger's Hotline notification. The plans show a Private Storm connection into the West Platte Road Right-of-Way connecting into a new proposed Public Storm Manhole. Provide legal and exhibits for the private lateral or work with Engineering on preferred routing to avoid extended laterals by changing structure locations or adding structures as approved.

24. 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.

25. MGE and Easements along the common lot line between lots 100 and 101 shall be released and recorded prior to CSM recording and building permit or early start permit.
26. Proposed Grading Plan varies from existing and Plat flow arrows along Easterly line per note on Plat seek approval from City Engineering and consider formal release of the this restriction as well.
27. The address of the proposed apartment building is 686 Grand Canyon Dr. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
28. 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 or early start permits for new construction.
29. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for apartment buildings. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) PRIOR to the verification submittal stage of this LNDUSE with 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)

30. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along Grand Canyon Drive
31. 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.
32. 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.

33. 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.
34. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
35. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
36. 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.
37. 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.
38. 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.
39. 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.
40. 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.
41. The applicant shall provide a clearly defined 5' walkway 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.
42. "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.
43. 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.

44. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.

45. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.

Fire Department (Contact Bill Sullivan, 886-4691)

46. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Jeff Larson at jtlarson@cityofmadison.com or (608) 2665946.

Parks Division (Contact Kathleen Kane, 261-9671)

47. 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 West Park-Infrastructure Impact Fee district. Please reference ID# 23033 when contacting Parks about this project.

Forestry Section (Contact Brandon Sly, 266-4892)

48. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.

49. 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.

50. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.

51. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry at (608) 266-4816 prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the site, grading, utility, demolition and street tree plan sets.

52. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.
53. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.
54. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608)266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on both the site and street plan sets.
55. 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)

56. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Metro Transit (Contact Tim Sobota, 261-4289)

57. Metro Transit operates daily all-day transit service along Gammon Road and Odana Road near this property - with trips at least every 30 to 60 minutes.
58. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 69 Weekday & 53 Weekend (average). Please contact

Metro Transit if additional analysis would be of interest.

Parking Utility (Contact Trent Schultz, 246-5806)

59. The applicant shall submit a Transportation Demand Management (TDM) Plan to tdm@cityofmadison.com. The TDM Plan is required per MGO 16.03. Applicable fees will be assessed after the TDM Plan is reviewed by staff.

Certified Survey Map:

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

1. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
2. Construct sidewalk to a plan as approved by City Engineer
3. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
4. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at 608-261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)

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

5. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat. Provide an legal description, exhibit and fee for the portion of the Sanitary Sewer Easement that is to approved to be released by City Engineering also for the approval of the drainage swale restriction.

6. List and explain or generally show the Boulder Wall Easement in Document 3465513
7. List the following Title matters:

Declaration of Covenants, Conditions and Restrictions recorded on February 04, 1970 in Volume 158 of Records, Page 62 as Document No. 1258523 as modified in Volume 4526 of Records, Page 4, as Document No. 1781968. Declaration of Covenants, Conditions and Restrictions recorded on August 01, 1973 in Volume 460 of Records, Page 122 as Document No. 1373566 as modified in Volume 4526 of Records, Page 4 as Document No. 1781968. Declaration of Conditions and Covenants recorded on November 10, 1978 in Volume 1012 of Records, Page 484 as Document No. 1599867.

8. Note 680 Canyons, LLC is not the current owner of record as listed in the Owner's Certificate. Further they are listed in the Mortgage Certificate as well. confirm the entities in both certificates prior to execution.
9. Add the drainage swale notes and arrows to outer parcel lines per plat and cite Document no.
10. Add the access restriction note Verbatim per sheet 2 of 2 of the Plat, Ninth Addition to Park Town and cite the Plat as its source with its Document no.
11. 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 Jule Smith City Engineering (jsmith4@cityofmadison.com)
12. 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.
13. Per 236.20(2)(c) ... where the exterior boundary lines show bearings or lengths that vary from those recorded in abutting plats or certified surveys there shall be the following note placed along the lines, "recorded as (show recorded bearing or length or both)." Show the recorded as bearings and distances per parent plat Ninth Addition to Park Town and the adjacent CSM 13966. additionally it is acceptable to use commonly used (xxx) notation as shown, but ledged shall be updated with () "Recorded As" rather than typing out "Recorded As" next to each as noted in statute.
14. Note the varying right-of-way through the curve and show the west side of West Platte Drive Per 236.20(3)(e) Abutting street and state highway lines of adjoining plats shown in their proper location by dotted or dashed lines. The width of these streets and highways shall be given also.
15. Per 236.20(2)(k) When a street is on a circular curve, the main chords of the right-of-way lines shall be drawn as dotted or dashed lines in their proper places
16. Provided ALTA survey attached to the proposed development shows the Cross at the Northwest corner of the site as found, the CSM is showing this as set, confirm label on the cross additionally add the cotton spinals set shown on that survey that are shown on the CSM to the legend. Additionally ALTA survey appears to show circles at the line Lot 101 and 100
17. Remove the Setback line from the legend
18. Show the North line of Lot 99

19. Remove the Owners information from all of the parcels
20. Show Bearing and Distance to monument shown in Lot 99. Per A-E 7.05(4) The map shall describe by bearing and distance the corner monuments used in determining the location of the parcel boundary
21. Show or explain why the East line of the parcel is short 0.18' and the Rebar found to the North was stated to be 0.25' North of the North line.
22. Legal Description above the provided metes and bounds is adequate. per s236.28 When a subdivision plat has been recorded in accordance with s. 236.25, the lots in that plat shall be described by the name of the plat and the lot and block in the plat for all purposes, including those of assessment, taxation, devise, descent and conveyance as defined in s. 706.01 (4).
23. Provide 60 year title search as required in MGO 16.23(5)(g)(2) and CSM application. Title work provided was a Title commitment for insurance.
24. 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)

25. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along Grand Canyon Drive.

Parks Division (Contact Kathleen Kane, 261-9671)

26. 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 West Park-Infrastructure Impact Fee district. Please reference ID# 23033 when contacting Parks about this project.
27. 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."
28. The Parks Division shall be required to sign off on this CSM.

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

29. 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.
30. 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).
31. 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.
32. 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....
33. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest please include a Certificate of Consent for the option holder and have it executed prior to CSM sign-off, if said ownership interest meets the criteria set forth by Wis. Stat. Sec. 236.34 and Sec. 236.21(2)(a).
34. 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.
35. Madison Common Council Certificate: This certificate is required when dedication of land and the conveyance of rights in land are required. For parcels located within the City of Madison, a Madison Common Council Certificate shall appear as follows:

Resolved that this certified survey map located in the City of Madison was hereby approved by Enactment Number _____, File ID Number _____, adopted on the ____ day of _____, 20__, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this ____ day of _____, 2023

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

36. City of Madison Plan Commission Certificate: Pursuant to Madison City Ordinance Section 16.23(7)(d)3 and Wis. Stats. 236.21(2)(a), all CSM’s that are subject to the review and approval of the City of Madison shall contain the following certificate of approval:

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

By: _____ Date: _____
Matthew Wachter, Secretary of the Plan Commission

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

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

Kristi Chlebowski, Register of Deeds

38. As of September 12, 2023, there is an outstanding principal on special assessments of \$5,554.96. All known special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1. In lieu of this requirement, the owner may present written documentation from the City's Board of Public Works that the special assessments may be continued to be paid on the installment basis authorized by the Board of Public Works. However, if lands within the CSM boundary are to be dedicated, the special assessments levied against the dedicated lands are to be paid in full.
39. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to ORES via email to Melissa Hermann (mhermann@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (xx-xx-xx) 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.
40. Depict, name, and identify by document number all existing easements cited in record title and the updated title report.
41. 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.
42. Depict and dimension all existing improvements including, but not limited to: buildings, drives, parking lots, encroachments, wells, septic systems, etc. located within the CSM boundary.
43. Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.

44. If all parties of interest agree that certain easements from prior plats or CSM's of record are no longer necessary, the release documents for said easements shall be recorded prior to CSM approval sign-off, with the recording information for the release included as a Note on the proposed CSM.
45. Create notes that define the purpose of and the ownership of (whether public or private) all outlots. The note for an outlot dedicated to the public shall say: "Dedicated to the public for xxxxxx purposes."

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