PLANNING DIVISION STAFF REPORT

October 2, 2023

PREPARED FOR THE PLAN COMMISSION

Project Address: **2102-2202 Darwin Road** (District 18, Alder Myadze)

Legistar File ID #: 79327, 79525, 79328, 79329

Prepared By: Lisa McNabola, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicants: John Kothe; Wilson Street Hotel Group, LLC; 324 East Wilson Street, Madison, WI 53703 (Demolition Permit and Rezone)

Bill Wallschlaeger; Midwestern Wheels, Inc.; 2350 North Casaloma Drive, Suite 202, Appleton, WI 54913 (Conditional Use)

Contacts: Wade Wyse; Wyser Engineering; 300 East Front Street, Mount Horeb, WI 53572 (Demolition Permit and Rezone);
Matt Schultz; Vogel Bros. Building Company; 5460 Fen Oak Drive, Madison, WI 53718 (Conditional Use)

Owner: Frederic Brouner, B&G Real Estate, LLC and Opptunities, LLC; 2 East Mifflin Street, Suite 600, Madison, WI 53703 (Certified Survey Map)

Requested Actions:

- ID 79327 – Consideration of a demolition permit to demolish a single-family building at 2102 Darwin Road;
- ID 79525 – Consideration of a zoning map amendment to change the zoning for 2202 Darwin Road from Planned Mobile Home Park (PMHP) District to Suburban Employment (SE) District;
- ID 79328 – Consideration of a Certified Survey Map (CSM) to create two lots and one outlot, and dedicate land to the public for future right-of-way; and
- ID 79329 – Consideration of a conditional use in the proposed SE District for an auto rental to allow construction of an auto rental business on proposed Lot 2 of the CSM.

Proposal Summary: The applicant is seeking approvals to create two lots in the Suburban Employment (SE) District to allow for construction of an auto rental business on one lot. The remaining lot would be reserved for future development. The applicant is also proposing to demolish a single family building at 2102 Darwin Road.

Applicable Regulations & Standards: Standards of approval for demolition permits are found in MGO Section 28.185(6). Standards for zoning map amendments are found in MGO Section 8.182(6). Standards for Certified Survey Maps are found in MGO Section 16.23(5). Standards of approval for conditional uses are found in MGO Section 28.183(6). Supplemental Regulations for "automobile sales and rental" can be found in MGO Section 28.151. The subject site is located in the Transit Oriented Development (TOD) Overlay District.

Review Required By: Plan Commission and Common Council (Rezone and Certified Survey Map only)

Summary Recommendation: The Planning Division recommends the following to the Plan Commission regarding the applications for 2102-2202 Darwin Road. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find the standards for demolition permits met and approve the demolition permit to demolish a single family building at 2102 Darwin Road;
- That the Plan Commission find the standards for zoning map amendment standards met and forward Zoning Map Amendment Section 28.022-00632 to change the zoning for 2202 Darwin Road from Planned Mobile Home Park (PMHP) District to Suburban Employment (SE) District, and the associated Certified Survey Map (CSM) to the Common Council with a recommendation of approval; and
- That the Plan Commission find the standards for conditional uses met and approve the request to construct an auto rental business on proposed Lot 2 of the CSM.

Background Information

Parcel Location: The subject site includes two existing parcels totaling 309,871 square feet (7.1 acres) located at the northeast corner of Packers Avenue and Darwin Road. It is located within District 18 (Alder Myadze) and the Madison Metropolitan School District. It is also located in the Transit Oriented Development (TOD) Overlay District.

Existing Conditions and Land Use: The property at 2102 Darwin Road is zoned Suburban Employment (SE) District. Per data from the Assessor's Office, the property is occupied by a single family building built in 1935 that was most recently used as an office and residence. The property at 2202 Darwin Road is zoned Planned Mobile Home Park (PMHP) District. The property is used for agriculture. There is also a driveway and cell tower on the property.

Surrounding Land Use and Zoning:
North: Oak Park Terrace Mobile Home Park, zoned Planned Mobile Home Park (PMHP) District;

East: Warehouses, zoned Industrial Limited (IL) District, and Dane County Regional Airport, zoned Airport (AR) District;

South: Across Darwin Road, carwash, zoned Suburban Employment (SE) District, and warehouses, zoned IL District; and

West: Across Packers Drive, daycare center and North District Police Station, zoned Commercial Corridor – Transitional (CC-T) District, and multifamily residential, zoned SR-V2 (Suburban Residential–Varied 2) District.

Adopted Land Use Plan: The Comprehensive Plan (2018) recommends Employment (E) development for the subject properties. Surrounding properties are recommended for a mix of Employment (E), Neighborhood Mixed-Use (NMU) and Residential development. The Northport Warner Park Sherman Neighborhood Plan (2009) recommends Employment for the property at 2202 Darwin Road. The property at 2102 Darwin Road is not within the boundary of the Neighborhood Plan.

Zoning Summary: The property at 2102 Darwin Road is zoned Suburban Employment (SE) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	20,000 sq. ft.	172,407 sq. ft.
Lot Width	65'	382.68'
Front Yard Setback	0' or 5'	19.16'
Max. Front Yard Setback: TOD	20'	19.16'
Side Yard Setback: Street side yard	0' or 5'	15.61'
Side Yard Setback	15' or 20% building height	Adequate
Rear Yard Setback	30'	Adequate
Maximum Lot Coverage	75%	60.7%

Minimum Building Height: TOD	2 stories/ 22' measured to building cornice	2 stories/ >22'
Maximum Building Height	5 stories/ 68'	2 stories/ >22'

Site Design	Required	Proposed
Number Parking Stalls: TOD	No minimum required Auto sales and rental: Maximum 1 per 1,000 sq. ft. floor area (10) + 2 spaces per service bay (18) (28 total)	42 customer and employee 208 storage (28)
Electric Vehicle Stalls	1% EV: 0 10% EVR: 4	1 EV 4 EVR 8 EV storage (30)
Accessible Stalls	Yes	2
Loading	1(10' x 35')	Yes, vehicle loading, unloading and staging area
Number Bike Parking Stalls	Auto sales and rental: 1 per 5 employees (3)	None (29)
Landscaping and Screening	Yes	Yes (31)
Lighting	Yes	Yes
Building Form and Design	Yes	Flex building (27)(32)(33)

Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: The subject site is not within a mapped environmental corridor.

Public Utilities and Services: This property is served by a full range of urban services.

Project Description

A land use application was submitted for a demolition permit to demolish a single family building at 2102 Darwin Road, and for a zoning map amendment to change the zoning for 2202 Darwin Road from Planned Mobile Home Park (PMHP) District to Suburban Employment (SE) District. A separate land use application was submitted for a conditional use for an auto rental to allow construction of an auto rental business on a new lot to be created by a Certified Survey Map (CSM). An application for a CSM to create two lots and one outlot, and dedicate land to the public for future right-of-way accompanies the land use applications.

The applicant proposes to demolish a single family building at 2102 Darwin Road. Per data from the Assessor's office the building was built in 1935 and was most recently used as an office and residence. The applicant provided demolition photos of the exterior only. Per the applicant the structure has been vacant for over 20 years and cannot be relocated due to the state of deterioration.

The CSM would create two lots and one outlot. Lot 1 would front Packers Avenue and abut the mobile home park to the north. The lot would be reserved for future development. The River Food Pantry is planning to construct a new facility on Lot 1 which is a permitted use and would not require further consideration from Plan Commission. Lot 2 would front Packers Avenue and Darwin Drive. The proposed auto rental business would be constructed on this lot. Outlot 1 would be occupied by the existing cell tower located in the northwest corner of the site. The CSM would also dedicate land to the public for a future right-of-way. The CSM shows a 51-foot wide land dedication along the eastern edge of the property where there is currently a driveway that provides access to 2202 Darwin Road and 2302 Darwin Road. The right-of-way would not be constructed as a part of this project and the driveway would remain.

The applicant proposes to construct a two-story, approximately 18,100 square-foot building for an auto rental business. The first floor is 10,353 square feet and includes a lobby, office space, and break room. The majority of the first floor would be occupied by an approximately 8,400 square-foot service bay. The second floor is 7,774 square feet and would be used for office space and employee training.

The building would be located at the southwest corner of the lot. A customer parking lot would be north of the building and would be accessed by a shared driveway entrance along Packers Avenue. The entrance to the customer lobby and first floor office space would be at the northwest corner of the building. The entrance can be accessed via a sidewalk connection from Packers Avenue and the customer parking lot. A secured parking lot for the rental cars takes up the majority of the site. A fueling station is shown in the secured parking lot. The secured parking lot could be accessed from a new driveway entrance along Darwin Road, the existing driveway along Darwin Road, and the customer parking lot. A stormwater facility would be at the southeast corner of the lot along Darwin Road.

The primary building materials are a light grey ribbed metal panel and a dark grey flat metal panel. On the first floor glazing would be installed at the lobby area on the north and west elevations. The second floor has glazing on the north, east and west elevations. Overhead doors are located on the north and east elevations to provide access to the service bay. The landscape plan shows plantings along Packers Avenue and Darwin Drive. There are also plantings in the parking island separating the customer parking lot and secured parking lot. The plantings are primarily deciduous trees and shrubs.

Analysis and Conclusion

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

Summary of Adopted Plan Recommendations

The Comprehensive Plan (2018) recommends Employment (E) development for the subject properties. Employment areas include predominantly corporate and business offices, research facilities, laboratories, hospitals, medical clinics, and other similar uses. They generally do not include retail and consumer service uses for the wider community, but may include limited retail and service establishments that primarily serve employees and users of the area. While there are no fixed limits on size of an establishment or development intensity within Employment areas, all uses should be compatible with the density and scale of surrounding development. The intensity of development may vary significantly depending on the location and surrounding context.

The Northport Warner Park Sherman Neighborhood Plan (2009) recommends Employment for the property at 2202 Darwin Road. The property at 2102 Darwin Road is not within the boundary of the Neighborhood Plan, although the property is within the "Airport Gateway" redevelopment area identified in the Neighborhood Plan. The Airport Gateway includes the area around the intersection of Northport Drive and Packers Avenue. Per the Neighborhood Plan the area serves as a primary entrance into the Northside community. This area's proximity to major streets and the rail line make it an ideal location for two to four story employment (light-industrial, office, high-tech, etc.). The Neighborhood Plan identifies the following goals for appearance and streetscapes in this area: building design with urban character including flat or hipped roofs, facades with windows, well-defined entrances, no blank walls, parking and loading in rear of building or possibly on side of structure, interior sidewalks and landscaping, and sidewalk setbacks of 10 to 15 feet.

Demolition Permit

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

Regarding standard 1, which states, "The applicant has included information related to any efforts to relocate the building, including but not limited to assessing the costs of relocation, the impact of relocation on city terrace trees, and the structural soundness of the building." Per the applicant the structure has been vacant for over 20 years and cannot be relocated due to the state of deterioration.

Regarding standard 4, which states, "That the Plan Commission has received and considered the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission." At its July 17, 2023 meeting, the Landmarks Commission found that the building at 2102 Darwin Road has no known historic value.

Staff believe the standards for demolition permits can be found met.

Zoning Map Amendment

The standards for zoning map amendments state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety, and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) be consistent with the City's Comprehensive Plan, "consistent with" is defined as "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan."

Staff believe the zoning map amendment to the Suburban Employment (SE) District is consistent with the Employment recommendations in the Comprehensive Plan (2018) and Northport Warner Park Sherman Neighborhood Plan (2009).

Conditional Use

The conditional use approval standards state that 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 MGO §28.183(6) are met. Please note, recent changes to 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.

As part of the "due consideration" of adopted plans, staff note that while this use is not listed specifically among recommended uses in Employment areas, auto rentals are allowable as a conditional use in the Suburban Employment zoning district. Staff does not have any information or evidence to suggest that the establishment of this use would impact surrounding properties planned and zoned for employment development. Staff also notes that the proximity to the airport may make this site more suitable for an auto rental business.

The Northport Warner Park Sherman Neighborhood Plan (2009) identifies the following goals for appearance and streetscapes in this area: building design with urban character including flat or hipped roofs, facades with windows, well-defined entrances, no blank walls, parking and loading in rear of building or possibly on side of structure, interior sidewalks and landscaping, and sidewalk setbacks of 10 to 15 feet. Staff acknowledge that the proposed project does address some of the appearance and streetscape recommendations. However, staff believe changes could be made to the site and building design to better address these recommendations as noted under approval standard nine.

Staff provide the following comments regarding conditional use approval standards nine and seven.

Conditional use approval standard nine states, "When applying the above standards to any new construction of a building or an addition to an existing building 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."

Staff note that the south elevation has limited façade articulation and materials. The dark grey metal is applied to a majority of the façade with the only change in material being the section of light grey ribbed metal panel at the western edge of the first floor facade. There is also no glazing on the south elevation. Staff believe the southern elevation should be revised to create more visual interest along Darwin Road. This could be accomplished by applying a different combination of the two metal panel materials or by adding glazing. Staff recommend the following condition of approval, "The applicant shall make revisions to the south elevation to be approved administratively by the Planning Division Director. The intent of this condition is to create more visual interest along the south elevation. The applicant shall revise the application of building materials and/or add glazing."

The landscaping plan consists primarily of deciduous trees and shrubs. Two types of evergreen shrubs are shown along the foundation of the north and south elevations, and there are two evergreen trees shown next to the driveway entrance at the rear of the property. Staff believe the landscape plan should be revised to provide more year-round screening of the parking lot and break-up blank wall expanses along the street. Staff recommend the following condition of approval, "The applicant shall make revisions to the landscape plan to be approved administratively by the Planning Division Director. The intent of this condition is to provide more year-round screening of the parking lot and break-up blank wall expanses along the street. The landscape plan shall be revised show additional evergreen shrubs and trees."

The site plan shows a fence around the secured parking lot. The applicant did not provide fence details in the application materials for review. Staff recommend the following condition of approval, "The applicant shall provide details for the proposed fencing. Chain link fencing shall not be permitted."

Conditional use standard seven states, "The conditional use conforms to all applicable regulations of the district in which it is located." The property is located within the Transit Oriented Development (TOD) Overlay District and is subject to the site standard for buildings in MGO Section 28.104(7). Zoning staff have confirmed that the project complies with the TOD Overlay District. Staff also believe the Supplemental Regulations for auto rentals can be found met.

Staff believe the conditional use approval standards can be found met subject to the recommended conditions of approval.

Land Division

The applicant has submitted a Certified Survey Map to create two lots, one outlot, and dedicate land to the public for right-of-way. The proposed north-south street dedication is shown on the city's Official Map. The Official Map is a planning tool enabled by Wis. Stats. Section 62.23(6), which allows a municipality to map and reserve land for future streets. On November, 22, 2022 the Common Council considered an amendment to the Official map to remove the east-west and north-south mapped street reservations on the subject site (ID 74140). The Common Council voted to retain the north-south street reservation and remove the east-west street reservation.

The applicant is proposing to dedicate a 51-foot wide parcel of land along the eastern edge of the property for a north-south street. Engineering staff have reviewed the proposed dedication and recommended the following condition of approval, "Construct a new street along the easterly lot line of the CSM from Darwin Road to the northerly limits of the CSM. In lieu of construction, developer may elect to sign a waiver for notice of public hearing for assessments for future roadway construction and enter into a privilege in streets agreement to allow the driveway in public right of way."

As noted in the condition, there is currently a driveway located in the proposed street that provides access to 2202 Darwin Road and 2320 Darwin Road. The driveway also provides access to the cell tower on 2202 Darwin Road, which would be located on the proposed outlot. There are recorded access easements that grant access to 2320 Darwin Road and the cell tower. Per the CSM those easements would be released. If the street construction is deferred the property owner would be required to enter into a privilege in streets agreement, which would allow the existing driveway and entrances to remain and for the proposed improvements to be constructed. If the street is constructed then the applicant and adjoining property owners would need to obtain driveway permits for the existing and proposed entrances.

Staff believe that all applicable standards for land divisions can be found met, subject to the recommended conditions of approval.

Conclusion

Regarding the conditional use request, staff believe that the approval standards could be found met subject to the conditions of approval recommended by Planning staff. The conditions of approval recommend that the applicant revise the building design to better address the recommendations in the Northport Warner Park Sherman Neighborhood Plan (2009). As part of the "due consideration" of adopted plan, staff note that while this use is not listed specifically among recommended uses in Employment areas, auto rentals are allowable as a conditional use in the Suburban Employment zoning district. Considering the property's close proximity to the Dane County Regional Airport, staff believes this to be an appropriate site for this use. Staff does not have any information or evidence to suggest that the establishment of this use would impact surrounding properties planned and zoned for employment development.

The requests are subject to the standards for demolition permits, zoning map amendments, conditional uses, and certified survey maps. Staff believe the approval standards for each request can be found met subject to the recommended conditions of approval as noted at the end of this report.

Recommendation

Planning Division Recommendation (Contact Lisa McNabola, 243-0554)
The Planning Division recommends the following to the Plan Commission regarding the applications for 2102-2202 Darwin Road. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find the standards for demolition permits met and approve the demolition permit to demolish a single family building at 2102 Darwin Road;
- That the Plan Commission find the standards for zoning map amendment standards met and forward Zoning Map Amendment Section 28.022-00632 to change the zoning for 2202 Darwin Road from Planned Mobile Home Park (PMHP) District to Suburban Employment (SE) District, and the associated Certified Survey Map (CSM) to the Common Council with a recommendation of approval; and
- That the Plan Commission find the standards for conditional uses met and approve the request to construct an auto rental business on proposed Lot 2 of the CSM.

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

Demolition Request

Engineering Division (Contact Brenda Stanley, 261-9127)

1. 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))

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

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

Zoning (Contact Jenny Kirchgatter, 266-4429)

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. Approval of the demolition permit will require the removal of all structures including the principal building, accessory garage, and driveway. The driveway apron shall be removed and replaced with curb and gutter as per City of Madison Engineering and Traffic Engineering requirements. During demolition and prior to curb and gutter, barriers shall be installed across the driveways to prevent the parking of vehicles. Disturbed areas shall be graded and seeded or sod planted to minimize erosion.

Fire Department (Contact William Sullivan, 261-9658)

5. 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) 266- 5946.

6. Provide fire apparatus access information for the proposed buildings as the development progresses.

Water Utility (Contact Jeff Belshaw, 261-9835)

7. A private well may have served this parcel prior to the municipal water service connection. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266-4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

Metro Transit (Contact Timothy Sobota, 261-4289)

8. In coordination with any public works improvements, the applicant shall install and maintain public sidewalk and curb ramps from the northeast corner of Darwin Road and Packers Avenue east along the north side of Darwin Road and north along the east side of Packers Avenue.

9. In coordination with any public works improvements, the applicant shall install and maintain a concrete boarding and passenger amenity pad at the planned Metro bus stop on the east side of Packers Avenue, north of Darwin Road. Concrete pad must measure minimally 20' parallel to Packers Avenue (beginning at least 50' and ending no more than 100' north of crosswalk across Packers Avenue), and must span perpendicularly at least 8' between face of curb and sidewalk.

10. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

11. Metro Transit operates daily all-day transit service along Darwin Road and Packers Avenue adjacent this property - with trips at least every 60 minutes.

12. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 32 Weekday & 18 Weekend (average). Please contact Metro Transit if additional analysis would be of interest.

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

13. Grant or Dedicate a Public Sidewalk Easement to the City on the face of Concurrent Certified Survey Map the along Packers Ave. for expanded terraces. The final size to approved by City Engineering and Traffic Engineering

14. The Applicant shall dedicate the North-South Street "A" as Required per the CSM.

15. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management that are necessary to accomplish the land division or site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.

    Private Drainage Stormwater maintainance and shared drive along Packers Ave. with possible private in streets agreement will be required if new North South Street "A" is not improved.

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

Forestry Section (Contact Jeffrey Heinecke, 266-4890)

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

18. 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.

19. City Forestry will issue a street tree removal permit for (X) tree(s) (dbh) diameter (variety) tree due to (reason) at (location). The Contractor shall contact City Forestry at (608)266-4816 to obtain permit. Add as a note on both the demolition and street tree plan set.

20. 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.

21. 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.

22. 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.

23. The Developer shall post a security deposit prior to the start of the development to be collected by City Engineering as part of the Developers Agreement. In the event that street trees are damaged during the construction process, City Forestry will draw from this deposit for damages incurred.

The following agencies reviewed the request and recommended no conditions of approval: Parks Division, Parking Utility

Conditional Use Request

Planning Division (Contact Lisa McNabola, 243-0554)

24. The applicant shall make revisions to the south elevation to be approved administratively by the Planning Division Director (or designee). The intent of this condition is to create more visual interest along the south elevation. The applicant shall revise the application of building materials and/or add glazing.

25. The applicant shall make revisions to the landscape plan to be approved administratively by the Planning Division Director (or designee). The intent of this condition is to provide more year-round screening of the parking lot and break-up blank wall expanses along the street. The landscape plan shall be revised show additional evergreen shrubs and trees.

26. The applicant shall provide details for the proposed fencing to be approved administratively by the Planning Division Director (or designee). Chain link fencing shall not be permitted.

Zoning (Contact Jenny Kirchgatter, 266-4429)

27. Reduce the setback distance to the primary building entrance to a maximum of 20 feet. Within the Transit Oriented Development overlay district, principal building entrances on all new buildings shall be oriented to their primary abutting street and be located within the 20 foot maximum setback.

28. Parking is proposed in excess of the maximum number of spaces. Per Table 28I-3 Off-Street Parking Requirements, the automobile parking maximum within the Transit Oriented Development overlay district for an auto rental establishment is 1 per 1,000 sq. ft. floor area (10) plus 2 spaces per service bay (18) for a total of 28 parking stalls. 42 customer and employee parking stalls are proposed. The Zoning Administrator may approve an increase of up to twenty (20) spaces above the maximum requirement. Submit an application for a Parking Adjustment and supporting documentation per section 28.141(6)(c) with the final plan submittal.

29. Bicycle parking for the auto rental establishment shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of three (3) short-term bicycle parking stalls located in a convenient and visible area on a paved or pervious surface. Bicycle parking shall be located at least as close as the closest non- accessible automobile parking and within one hundred (100) feet of a principal entrance. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.

30. Identify the locations of the electric vehicle ready and installed stalls on the plans. Add the count of electric vehicle ready and installs stalls to the parking summary.

31. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All rooftop and ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district per Section 28.142(9)(d).

32. Provide additional vertical articulation on the south street facing building façade. Facades facing a public street shall be vertically articulated at a minimum interval of forty (40) feet.

33. 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. 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.

34. 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.

35. 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.

Engineering Division (Contact Brenda Stanley, 261-9127)

36. The applicant shall connect to or extend public storm sewer connecting directly to a public storm structure that is either in the public sidewalk or terrace area, or inlet at the curb on the side of the street, adjacent to the development. Any storm lateral extension crossing any lanes of traffic or running longitudinally within a public street right of way for over 20ft, in order to connect to the public system, shall be considered a private storm sewer lateral and will require an approved and recorded privilege in streets agreement. (POLICY)

37. 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)

38. Construct sidewalk, terrace, curb and gutter and pavement to a plan as approved by City Engineer along Darwin Road and Packers Ave.

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

40. 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)

41. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. This property is subject to Sanitary Connection charges for the Truax West Interceptor $12/1000 sf District.

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

43. 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.

44. 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.

45. Construct a new street along the easterly lot line of the parcel from Darwin Road to the northerly limits of the parcel. In lieu of construction, developer may elect to sign a waiver for notice of public hearing for assessments for future roadway construction and enter into a privilege in streets agreement to allow the driveway in public right of way.

46. 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)
47. 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)

48. This site is near the bottom of a large draw, the applicant shall show that offsite water can pass safely through the site.

49. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. The permit application can be found on City Engineering's website at http://www.cityofmadison.com/engineering/Permits.cfm.

This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, 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.

50. 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.

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.

Unintended detention: If the plat or subdivision has an enclosed area with provides existing storage, the existing storage will need to be accounted for in addition to meeting the requirements for detention.

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.

TSS Redevelopment not TMDL: Reduce TSS by 40% (control the 20-micron particle) off of new paved surfaces as compared to no controls.

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.

Volume Control: Provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event.

Thermal Control: Provide substantial thermal control to reduce runoff temperature in cold water community or trout stream watersheds.

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.

51. 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).

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

52. 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 Darwin Road and Packers Avenue as needed.

53. The applicant shall construct public sidewalk along their Darwin Road and Packer Avenue frontages according to plan approved by City Engineer

54. The applicant shall construct pedestrian crossing improvements at the Londonderry Drive/Packer Avenue intersection according to plan approved by City Engineer. Work will include markings, pedestrian ramp reconstruction and potential refuge island in Packers Avenue.

55. 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.

56. 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.

57. 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.

58. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

59. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

60. 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.

61. 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.

62. 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.

63. "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.

64. 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.

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

66. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

67. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the Public Right-of-Way on Darwin Road and Packers Avenue will be granted for construction purposes. Provide a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.

Fire Department (Contact William Sullivan, 261-9658)

68. Provide documentation on fire apparatus access lanes.

Water Utility (Contact Jeff Belshaw, 261-9835)

69. A private well may have served this parcel prior to the municipal water service connection. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266-4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

70. 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 Timothy Sobota, 261-4289)

71. In coordination with any public works improvements, the applicant shall install and maintain public sidewalk and curb ramps from the northeast corner of Darwin Road and Packers Avenue east along the north side of Darwin Road and north along the east side of Packers Avenue.

72. In coordination with any public works improvements, the applicant shall install and maintain a concrete boarding and passenger amenity pad at the planned Metro bus stop on the east side of Packers Avenue, north of Darwin Road. Concrete pad must measure minimally 20' parallel to Packers Avenue (beginning at least 50' and ending no more than 100' north of crosswalk across Packers Avenue), and must span perpendicularly at least 8' between face of curb and sidewalk.

73. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

74. Metro Transit operates daily all-day transit service along Darwin Road and Packers Avenue adjacent this property - with trips at least every 60 minutes.

75. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 32 Weekday & 18 Weekend (average). Please contact Metro Transit if additional analysis would be of interest.

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

76. Grant a Public Sanitary Sewer Easement along Packers Ave to the City on the face of the concurrent Certified Survey Map. The size and location of easement to be approved by City Engineering.

77. Grant and or Dedicate Public Sidewalk Easement to the City on the face of concurrent Certified Survey Map. The location and size of the easement to be approved by City Engineering and Traffic Engineering.

78. Grant a Public Sidewalk Easement along Packers Ave and Darwin Road to the City on the face of the concurrent Certified Survey Map

79. The Applicant shall Dedicate the Right-of-Way as required in the concurrent CSM.

80. 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.

81. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management that are necessary to accomplish the land

division or site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.

Shared drive and Stormwater Maintenance easement along with privilege in street agreement if improvements are deferred are required with the concurrent land division.

82. The address of the proposed building is 3203 Packers Ave.

83. 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.

84. 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.

Forestry Section (Contact Jeffrey Heinecke, 266-4890)

85. City Forestry will issue a street tree removal permit for (X) tree(s) (dbh) diameter (variety) tree due to (reason) at (location). The Contractor shall contact City Forestry at (608)266-4816 to obtain permit. Add as a note on both the demolition and street tree plan set.

86. 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.

87. 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.

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

89. 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.

90. 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.

91. The Developer shall post a security deposit prior to the start of the development to be collected by City Engineering as part of the Developers Agreement. In the event that street trees are damaged during the construction process, City Forestry will draw from this deposit for damages incurred.

92. 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.

The following agencies reviewed the request and recommended no conditions of approval: Parks Division, Parking Utility

Land Division Request

Engineering Division (Contact Brenda Stanley, 261-9127)

93. 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).

94. 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)

95. Construct sidewalk, terrace, curb and gutter and pavement to a plan as approved by City Engineer along Darwin Road and Packers Ave.

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

97. 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)

98. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. This property

is subject to Sanitary Connection charges for the Truax West Interceptor Sewer District (rate $12.00/1000 sf).

99. 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)

100. Construct a new street along the easterly lot line of the CSM from Darwin Road to the northerly limits of the CSM. In lieu of construction, developer may elect to sign a waiver for notice of public hearing for assessments for future roadway construction and enter into a privilege in streets agreement to allow the driveway in public right of way.

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

101. 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 Darwin Road and Packers Avenue as needed.

102. The applicant shall construct public sidewalk along their Darwin Road and Packer Avenue frontages according to plan approved by City Engineer

103. The applicant shall construct pedestrian crossing improvements at the Londonderry Drive/Packer Avenue intersection according to plan approved by City Engineer. Work will include markings, pedestrian ramp reconstruction and potential refuge island in Packers Avenue.

104. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

Water Utility (Contact Jeff Belshaw, 261-9835)

105. Upon development, a separate water service lateral and water meter will be required to serve each parcel. The water laterals shall be directly connected to the public water main with the shut-off valve located in the public right-of-way (per PSC 185.52 (2)). A water lateral is not required if the parcel remains undeveloped.

Metro Transit (Contact Timothy Sobota, 261-4289)

106. In coordination with any public works improvements, the applicant shall install and maintain public sidewalk and curb ramps from the northeast corner of Darwin Road and Packers Avenue east along the north side of Darwin Road and north along the east side of Packers Avenue.

107. In coordination with any public works improvements, the applicant shall install and maintain a concrete boarding and passenger amenity pad at the planned Metro bus stop on the east side of Packers Avenue, north of Darwin Road. Concrete pad must measure minimally 20' parallel to Packers Avenue (beginning at least 50' and ending no more than 100' north of crosswalk across Packers Avenue), and must span perpendicularly at least 8' between face of curb and sidewalk.

108. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

109. Metro Transit operates daily all-day transit service along Darwin Road and Packers Avenue adjacent this property - with trips at least every 60 minutes.

110. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 32 Weekday & 18 Weekend (average). Please contact Metro Transit if additional analysis would be of interest.

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

111. Grant a Public Sanitary Sewer Easement along Packers ave. to the City on the face of this Certified Survey Map with the following conditions. Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com) for the final required language.

112. Grant a Public Sidewalk Easement along Packers Ave and Darwin Road to the City on the face of this Certified Survey Map or expand dedication area to include required expanded terrace areas required by Traffic Engineering. The final location and size of the easement to be approved by City Engineering and Traffic Engineering. Contact Jule Smith (Jsmith4@cityofmadison.com)for the easement language to be included on the face of the map.

113. The Applicant shall Dedicate a 51 foot wide strip of Right of Way along the eastern lot line from Darwin Road to the northerly limits of the CSM.

    Note with dedication In lieu of construction of public street, developer may elect to sign a waiver for notice of public hearing for assessments for future roadway construction and enter into a privilege in streets agreement to allow the driveway in public right of way.

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

*Note there will need to be an additional separate agreement between all interested parties currently using and holding rights to use the private drive. this agreement will define the separate parties rights and responsibilities within the PIS and naming a single party responsible for the PIS agreement this shall be provided for review and be recorded. This single named party will enter into the PIS with the City.

114. Access to the rear three buildings of Lot 2 CSM 10858 will be from the new dedicated road instead of the to be released right of way easement from Darwin Rd. Those three buildings will need an address change to reflect the new street.

115. 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.

116. All existing easements as shown in the area to be dedicated in the North-South to be named street "A" shall be terminated just prior to dedication. Alternativity those easement holders who may be registered as utility that has the right to use the Right-of-way may assign there rights to the City.

117. Directly label the area of Darwin Road "33' dedicated to the Public"

118. Remove private easements being set forth on the CSM and provide a those easements in separate documents for review and record immediately after recording CSM after lots are created for both joint access and private stormwater management

119. There appears to be an existing overhead line running within the area to be Dedicated to the Public for Street "A" the North-South Street any all utility holders that have rights along this line that may have become prescriptive or otherwise shall be assigned to the City.

120. 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)

121. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. Visit the Dane County Surveyor's Office (web address https://www.countyofdane.com/PLANDEV/records/surveyor.aspx) for current tie sheets and control data that has been provided by the City of Madison.

122. 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.

123. Provide proposed street name suggestions to Lori Zenchenko (LZenchenko@cityofmadison.com) for review and approval.

124. Remove or better define the call of 65.00' S 89° 04' 11" E 95.00 on the top of sheet 2 of 7

125. Make a correction along the overall or sub distances along street "A" with the sum of 755.62' vs 755.61'

126. Verify the over distance shown for the South line of the NE 1/4 2626.83' additionally show the recorded (2656.74')

127. State the purpose of Outlot 1

128. Remove the underlying lots and linework from sheet 2 of 7

129. 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.

Real Estate Office (Contact Lance Vest, 245 5794)

130. OWNER'S CERTIFICATION

    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.

    Revise spelling of the name "Optunites LLC" to remove instances of an extra "I" in the Owner's Certificate.

    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.

131. MORTGAGEE/VENDOR CERTIFICATION

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).

132. CERTIFICATE AND CONSENT REQUIREMENTS

a. 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).
b. 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. In particular, include certificates for the following lessees: CST 2018 Acquisition, LLC, Verizon Wireless Personal Communications LP, and T-Mobile Central, LLC.
c. Madison Common Council Certificate: Revise the Common Council Certificate to 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

d. City of Madison Plan Commission Certificate: Revise the Plan Commission Certificate to update the name of the Plan Commission Secretary as follows:

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

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

133. REAL ESTATE TAXES

As of September 22, 2023, the 2022 real estate taxes are paid for the subject property.

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

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

Madison, WI 53701

134. SPECIAL ASSESSMENTS

As of September 22, 2023, there are no special assessments reported. All known special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.

135. TITLE REPORT UPDATE

Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to ORES via email to Lance Vest (lvest@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (July 21, 2023) 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.

136. ADDITIONAL REQUIREMENTS

Create notes that define the purpose of and the ownership of (whether public or private) all outlots. The note for an outlot dedicated to the public shall say: “Dedicated to the public for _____ purposes.”

The following agencies reviewed the request and recommended no conditions of approval: Zoning, Fire Department, Parks Division, Assessor’s Office, Parking Utility, Forestry Section