



Project Addresses: 1124 Colby Street and 114 Van Deusen Street
Application Type: Demolition Permit, Conditional Uses, and Certified Survey Map Referral
Legistar File ID # [82944](#), [82945](#), and [82977](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicant & Property Owner: Jim Hansen, Woodland Montessori School, Inc.; 1124 Colby Street; Madison.
Contact Person: Mike Booth, OPN Architects; 301 N Broom Street, Suite 100; Madison.
Surveyor: Todd Buhr, JSD Professional Services, Inc.; 507 W Verona Avenue, Suite 500; Verona.

Requested Actions:

- ID [82944](#) – Consideration of a demolition permit to allow demolition of a single-family residence at 114 Van Deusen Street;
- ID [82945](#) – Consideration of an alteration to an approved conditional use in the Traditional Residential–Consistent 2 (TR-C2) District for a daycare center; consideration of a conditional use in the TR-C2 District for a building exceeding 10,000 square feet of area; and consideration of a conditional use in the TR-C2 District for a automobile parking reduction of more than 20 spaces and 25% or more of the required parking, all to allow construction of an addition to an existing daycare center at 1124 Colby Street; and
- ID [82977](#) – Approval of a Certified Survey Map (CSM) at 1124 Colby Street and 114 Van Deusen Street to create one lot for the proposed daycare expansion.

Proposal Summary: Woodland Montessori School is proposing to raze the single-family residence at 114 Van Deusen Street to allow construction of a two-story, 6,923 square-foot addition to the existing two-story, 7,526 square-foot daycare center located at 1124 Colby Street. The letter of intent indicates that the proposed 14,449 square-foot daycare/school will serve up to 110 children ages six months to six years, with a total of 30 staff members. The center currently does not provide off-street parking and no new parking is proposed with the expansion. The subject parcels will be combined into one lot by CSM.

The applicant indicates that construction will commence in spring 2026 subject to fundraising for the project, with completion anticipated by fall 2027. The facility will relocate to another location during construction, which is planned to occur in one phase.

Applicable Regulations & Standards: Table 28C-1 in Section 28.032(1) identifies daycare centers and buildings or structures with floor area exceeding 10,000 square feet as conditional uses in the TR-C2 (Traditional Residential–Consistent 2) District. Section 28.141(5) requires that a reduction of more than 20 automobile parking spaces and 25% or more of the required parking requires conditional use approval. All of the conditional uses are subject to supplemental regulations in Section 28.151. Section 28.183 provides the process and standards for the approval of conditional use permits. Section 28.185 provides the process and standards for the approval of demolition and removal permits. The subdivision process is outlined in Section 16.23(4) of the Subdivision Regulations.

Review Required By: Plan Commission and Common Council (for the CSM).

Summary Recommendation: The Planning Division recommends that the Plan Commission find the applicable standards are met and take the following actions:

- That the Plan Commission find the standards for demolition permits are met to **approve** demolition of the single-family residence at 114 Van Deusen Street;
- That the Plan Commission find the standards for conditional uses are met to **approve** the conditional uses to allow renovation and expansion of the existing daycare center and the parking reduction, subject to input at the public hearing and the conditions from reviewing agencies beginning on **page 8**; and
- That the Plan Commission forward the Certified Survey Map to combine 1124 Colby Street and 114 Van Deusen Street into one lot for the proposed development to the Common Council with a recommendation of **approval** subject to the conditions from reviewing agencies beginning on **page 13**.

Background Information

Parcel Location: An approximately 21,694 square-foot (0.5-acre) parcel located at the northwestern corner of Colby and Van Deusen Streets; Alder District 13 (Evers); Madison Metropolitan School District.

Existing Conditions and Land Use: The parcel at 114 Van Deusen Street is developed with a 1.5-story single-family residence constructed in 1930 per City records, which the daycare/school has used as its “Toddler House” in recent years. The 1124 Colby Street parcel is developed with a two-story, 7,526 square-foot daycare center, which occupies a 16,296 square-foot parcel. Both parcels are zoned TR-C2 (Traditional Residential–Consistent 2 District).

Surrounding Land Uses and Zoning: The subject site is primarily surrounded by single-family residences in TR-C2 (Traditional Residential–Consistent 2 District) zoning. Goodman Park is located southeast of the site across the Colby-Van Deusen intersection in PR (Parks and Recreation District) zoning.

Adopted Land Use Plans: The 2023 Comprehensive Plan identifies the subject site and surrounding residential properties for Low Residential (LR). Goodman Park is recommended for Park and Open Space (P).

The subject site is located within the boundaries of the 2005 [South Madison Neighborhood Plan](#) (which remains in effect for the portion of that planning area located north of Wingra Creek). The plan does not include specific land use, zoning, or redevelopment recommendations for the subject site. However, the site and surrounding residential properties are included in a general recommendation that existing housing stock be preserved for the portion of the planning area located west of Colby Street and north of Olin Avenue.

Zoning Summary: The property is zoned TR-C2 (Traditional Residential–Consistent 2 District).

Requirements	Required	Proposed
Lot Area	4,800 sq. ft.	21,694 sq. ft.
Lot Width	40'	135'
Front Yard Setback	20'	13.0' (Variance Granted)
Side Yard Setback	10'	30.7'
Reversed Corner Side yard	20'	8.2' (Existing, along Van Deusen St)

Requirements	Required	Proposed
Rear Yard	Equal to building height, but at least 30'	39.5'
Maximum Lot Coverage	65%	Less than 65% (See conditions)
Maximum Building Coverage	50%	Less than 50%
Maximum Building Height	35'	Less than 35'
Auto Parking – Daycare Center	1 per 15 clients and 1 per 2 employees (22 total)	None (Requires conditional use approval)
Electric Vehicle (EV) Stalls	Not Required	None
Accessible Stalls	Not Required	None
Loading	Not Required	None
Bike Parking	1 per 5 employees (6 total)	8
Building Forms	Civic or Institutional Building	Will Comply
Other Critical Zoning Items		
Yes:	Barrier Free, Utility Easements	
No:	Urban Design, Wellhead Protection, Waterfront Development, Wetlands, Floodplain, Landmarks, Adjacent to Park	
<i>Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator</i>		

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor. Goodman Park is identified in a mapped corridor.

Public Utilities and Services: The site is currently served by a full range of urban services, including seven-day Metro Transit service nearby on Olin Avenue (Route O) and weekday peak-hour service along John Nolen Drive (Route 65). Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 27 Weekday and 17 Weekend. Please contact Metro Transit if additional analysis would be of interest.

Previous Approvals and Related Hearings

On August 21, 1978, the Plan Commission approved a conditional use to allow a former place of worship at 1124 Colby Street to be converted into a daycare center, Woodland Montessori School.

On March 31, 1997, the Plan Commission approved a conditional use to allow the single-family residence at 114 Van Deusen Street to be converted into a “toddler house” for Woodland Montessori School. The 1997 approval was conditioned on submittal of a “transportation management plan” to “address parking issues” and “insure compliance with parking requirements by employees and standing by parents picking up or dropping off students at the daycare.”

On June 7, 1999, the Plan Commission approved an alteration to the approved conditional use for 114 Van Deusen to allow an expansion of the toddler house for the adjacent daycare center.

On January 23, 2012, the Plan Commission accepted a complaint from an adjacent property owner and recommended that Woodland Montessori School address the concerns as recommended in the staff report from

the Zoning Administrator dated January 23, 2012. The Plan Commission did not make a determination that the complaint indicates there is a reasonable probability that the subject conditional use is operating in violation of the approved conditions or conditional use standards as stated in the Zoning Code.

On August 5, 2013, the Plan Commission approved an alteration to the approved conditional use for 114 Van Deusen Street to eliminate a two-stall parking area required for the toddler house with the 1999 alteration and modify the playground space for the daycare to include the former parking area. The 2013 alteration generally addressed the observations identified by the Zoning Administrator during his investigation into the 2011-2012 complaint against the daycare noted above.

On March 16, 2024, the Zoning Board of Appeals granted a variance to the required front yard setback to allow construction of a vestibule building addition for the renovated and expanded daycare center (see ID [82399](#) for more information on the variance).

Project Description

The applicant, Woodland Montessori School, is requesting approval of conditional uses to allow construction of an addition to the daycare center at 1124 Colby Street and approval of a demolition permit to raze a two-story former single-family residence located at 114 Van Deusen Street, which is currently used as its “toddler house” for approximately twenty children ages 18 to 30 months old.

The daycare center currently occupies a two-story, 7,526 square-foot building located on the southern third of a parcel that extends 120 feet parallel to Van Deusen Street and 135 feet along Colby Street. The existing building was originally constructed as a church but has been used by Woodland as a daycare center since approximately 1978. Plans for the proposed addition call for 6,923 square feet of space to be constructed, which will include new classrooms in a wing to be built parallel to the Colby Street frontage and a new hallway that will extend the length of the north wall of the original building to connect classroom and support spaces located in both the original and new portions of the building. The existing building will be renovated as part of the project, including a reconfigured interior, new windows, and new mechanical equipment. A new secure accessible entrance will be built off the eastern façade of the existing building, which will replace existing raised double entrance doors and stairs facing Colby Street.

The letter of intent indicates that the proposed 14,449 square-foot daycare center/school will serve up to 110 children ages 16 months to six years, with a total staff of 30. One of the goals of the renovation and expansion project is to bring all the daycare center’s programming, which now occurs in two adjacent buildings, under one roof. As a result, the applicant is proposing to demolish the two-story building at 114 Van Deusen Street to create additional open space for the daycare. The building to be demolished was originally constructed as a three-bedroom single-family residence in 1930 according to City records but has been used by Woodland Montessori School since around 1997 as its toddler house. Photos of the interior and exterior of the building and a 2016 report on its condition are attached to the demolition permit file (ID [82944](#)). The daycare center currently does not provide off-street parking and no parking is proposed with the expansion.

To facilitate the proposed renovation and addition, the applicant is also requesting approval of a Certified Survey Map to combine the two existing parcels into one 21,694 square-foot (0.5-acre) lot.

The letter of intent indicates that the hours of operation for the renovated and expanded daycare center will be 8:00 AM to 5:00 PM, Monday through Friday.

Additional Regulations

Section 28.151 of the Zoning Code includes the following supplemental regulations for Daycare Center(s):

- a) The loss of any state license or permit by a day care center shall result in automatic revocation of that facility's use permit.
- b) A designated area for the short-term parking of vehicles engaged in loading and unloading children shall be provided. The designated area shall be located as close as practical to the principal entrance of the building and shall be connected to the building by a sidewalk.
- c) Where the use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.

Section 28.151 includes the following supplemental regulations for Buildings or Structures Exceeding 10,000 Square Feet in Floor Area:

- a) In any residential district, building floor area, bulk, height and massing may be limited as part of the conditional use approval in order to ensure compatibility with surrounding uses.
- b) In any residential district, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.

Section 28.141 of the Zoning Code requires the following regarding consideration of Automobile Parking Reductions: A parking reduction request must be initiated by the owner, who must submit information to support the argument for reducing the required number of spaces. Factors to be considered include but are not limited to: availability and accessibility of alternative parking, impacts on adjacent residential neighborhoods; existing or potential shared parking agreements; number of residential parking permits issued for the area; proximity to transit routes and/or bicycle paths and provision of bicycle parking; the characteristics of the use, including hours of operation and peak parking demand times; design and maintenance of off-street parking that will be provided; and whether the proposed use is new or an addition to an existing use.

Analysis

The subject site is zoned TR-C2 (Traditional Residential—Consistent 2 District). Daycare centers for more than eight (8) persons, defined as a “facility licensed by the State Department of Health and Family Services, or any other government agency that assumes its authority and responsibility, in which qualified persons, other than a relative or guardian provide care and supervision for children, adolescents, or adults for less than 24 hours per day,” are conditional uses in all residential zoning districts. Additionally, a building or structure with a floor area exceeding 10,000 square feet is a conditional use in all residential districts. Finally, the applicant proposes not to provide on-site automobile parking for the expanded daycare center, which requires approval of a conditional use by the Plan Commission as a parking reduction of more than 20 automobile parking spaces and 25% or more of the required spaces. The Zoning Administrator has determined that the proposed center requires 22 parking stalls.

The applicant is also requesting Plan Commission approval of a demolition permit to raze the house at 114 Van Deusen Street and a CSM to combine the subject site into one lot.

Criteria for Demolition of 114 Van Deusen Street

In order to approve a demolition request, the Plan Commission shall consider the factors and information specified in Section 28.185(9)(c) and find 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 standards for demolition approval state that the Plan Commission shall consider 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. On March 18, 2024, the Landmarks Commission recommended to the Plan Commission that the building 114 Van Deusen Street had no known historic value.

The 2005 South Madison Neighborhood Plan includes a general recommendation that existing housing stock in the portion of the planning area located west of Colby Street and north of Olin Avenue be preserved. However, staff believes that the Plan Commission can find the standards for demolition permits met despite that recommendation. While the front facade maintains the exterior appearance of the 1930 residence, the 2016 condition report suggests that the building, which has been modified for its institutional use of the last 25 years, is in average to below average condition.

In approving a demolition permit, the Plan Commission may stipulate conditions and restrictions on the proposed building demolition as deemed necessary to promote the public health, safety and general welfare of the community, and to secure compliance with the standards of approval. The proposed conditions for this demolition may be found in the 'Recommendation' section of the report, which follows.

Consideration of the Conditional Use Standards

The Plan Commission may not approve an application for a conditional use unless it can find that all of the standards found in Section 28.183(6)(a), Approval Standards for Conditional Uses, are met. That section states: "The City Plan Commission shall not approve a conditional use without due consideration of the recommendations in the City of Madison Comprehensive Plan and any applicable, neighborhood, neighborhood development, or special area plan, including design guidelines adopted as supplements to these plans. No application for a conditional use shall be granted by the Plan Commission unless it finds that all the [standards for approval in Section 28.183(6) are met]."

The Planning Division believes that the Plan Commission may find the standards for conditional use approval and the supplemental regulations for daycare centers and buildings exceeding 10,000 square feet of floor area in a residential zoning district are met to allow the renovation and expansion of Woodland Montessori School. The project has been reviewed by City agencies, and no concerns have been raised that would suggest that the standards for approval and applicable supplemental regulations could not be met. Staff believes that the Plan Commission may find that the design of the proposed 14,449 square-foot daycare center building is compatible with the one- and two-story single-family residences that surround the subject site. The expanded building and modest increase in enrollment proposed (from approximately 100 total students to 110) should also have limited or no impact on the uses, values and enjoyment or normal and orderly development of nearby properties.

Staff also believes that the Plan Commission may find that the request to provide no automobile parking for the expanded daycare center meets the standards for conditional use approval. As noted above, the Zoning Administrator has determined that 22 parking stalls are required based on the projected number of students and staff. The center proposes not to provide any off-street parking, including the dedicated parking spaces for student pick-up and drop-off required by the supplemental regulation for daycare centers. In general, the existing daycare center has provided little or no off-street parking for its entire history on the site dating back to its first conditional use approval in 1978. While two off-street automobile parking stalls were required when the toddler house at 114 Van Deusen Street was expanded in 1999, the Plan Commission subsequently allowed those spaces to be removed in 2013, returning the existing center to zero off-street stalls. In general, the existing facility appears to function well despite having no dedicated off-street automobile parking. Although the expanded building will include more square footage than exists in the two buildings that currently comprise the center, staff does not feel that the additional floor area or proposed increase in enrollment to 110 students will create a traffic condition in the neighborhood that is substantially different from the existing condition. The site is also reasonably close to the Wingra Creek and Capital City Paths for families and staff commuting by bike, and from two Metro routes that operate along Olin Avenue and John Nolen Drive on days when the center is open. At present, the surrounding neighborhood is not in a residential parking permit program area, and signed on-street parking regulations on Van Deusen Street and Colby Street are limited only to weekly street sweeping restrictions.

The daycare center has been subject to a transportation management plan since the conditional use approval to expand the daycare center onto the 114 Van Deusen property was granted in 1997; the approved plan is attached to the legislative file for the conditional use request (ID [82945](#)) for reference. That plan encourages center staff to park away from the site, for parents to carpool, and for student pick-up and drop-off to occur only on the north side of Van Deusen Street adjacent to the center. Subsequent correspondence with City staff also note that the center staggers its drop-off (four arrival periods) and pick-up times (eight periods) to limit a surge of vehicles coming to the site at any given time. To staff's knowledge, the transportation management plan has generally been effective in limiting the center's impact on the street network surrounding the site. However, staff believes that any approval of the conditional uses for the daycare center expansion should be conditioned on the transportation management plan being updated to reflect the proposed project as well as the passage of time since the current plan's approval.

No alder, public, or neighborhood association comments have been received as of the writing of this report that would suggest that the Plan Commission could not approve the request as submitted subject to the proposed conditions. As with any conditional use, the Plan Commission retains continuing jurisdiction in the event that complaints are received about the expanded daycare and parking reduction (to zero), which could result in more restrictive conditions being applied if deemed necessary following an investigation and Plan Commission public hearing.

Criteria for Land Divisions

Finally, if the Plan Commission determines that the standards for approval for demolition permits and conditional uses are met, staff recommends that the Plan Commission find that the one-lot Certified Survey Map meets the criteria for approval to allow the underlying parcels to be combined for the daycare expansion project.

Conclusion

The applicant is requesting approvals to demolish the former single-family residence at 114 Van Deusen Street and to renovate and expand the daycare center located at 1124 Colby Street. The proposed expansion will nearly double the size of the primary daycare center building and allow all of its programming to be brought under one roof in a more modern, secure, accessible, and sustainable facility, as outlined in the letter of intent. The applicant is proposing to provide no off-street automobile parking or dedicated off-street space for student pick-up and drop-off for the expanded daycare center. A one-lot CSM has been submitted to combine the underlying parcels and platted lots for the daycare expansion project.

The Planning Division believes that the standards for demolition permits and conditional uses can be met, as well as the supplemental regulations for daycare centers and buildings or structures over 10,000 square feet of area. Staff believes that the proposed expanded center is well designed and is compatible with the surrounding single-family residences. Staff also feels that the Plan Commission may find that the conditional use standards are met to allow the expanded daycare center to proceed with no off-street automobile parking. As noted in the Analysis, the daycare has historically operated successfully with little or no off-street parking. However, since 1997, the center has been subject to a transportation management plan, which staff proposes be updated with any conditional use approvals for the expansion.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

If the Plan Commission can find the applicable standards are met, the Planning Division recommends the following to the Plan Commission:

- That the Plan Commission find the standards for demolition permits are met to **approve** demolition of the single-family residence at 114 Van Deusen Street;
- That the Plan Commission find the standards for conditional uses are met to **approve** the conditional uses to allow renovation and expansion of the existing daycare center and the parking reduction, subject to input at the public hearing and the conditions from reviewing agencies that follow; and
- That the Plan Commission forward the Certified Survey Map to combine 1124 Colby Street and 114 Van Deusen Street into one lot for the proposed development to the Common Council with a recommendation of **approval** subject to the conditions from reviewing agencies beginning on **page 13**.

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

Planning Division

1. Prior to final approval of the conditional use plans and issuance of building permits for the addition, the applicant shall submit an update to the 1997 Master Transportation Management Plan to reflect the expansion of the daycare center building and proposed enrollment. The updated plan shall also include information on the number of employees, provisions regarding off-site staff parking, hours of operation for the center, the staggered pick-up and drop-off of students, and efforts to encourage the use of alternative forms of transportation and carpooling (drawing on information contained in a 2012 letter from Erin Trondson to Matt Tucker). The updated plan shall be reviewed by the Planning Division, Traffic Engineering Division, and

Parking Division and be placed on file with the Zoning Administrator prior to issuance of permits for the expansion.

2. That the hours of operation for the expanded daycare center shall be 8:00 AM to 5:00 PM, Monday through Friday, as stated in the letter of intent. Any revision to these hours of operation shall require approval of an alteration to the conditional use to be approved by the district alder and Director of the Planning Division or the Plan Commission.
3. The maximum enrollment of the daycare center shall be 110 students as stated in the letter of intent. Any increase in students beyond 110 shall require approval of an alteration to the conditional use to be approved by the district alder and Director of the Planning Division or the Plan Commission.

City Engineering Division (Contact Tim Troester, (608) 267-1995)

4. 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 20 feet 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.
5. Obtain a Permit to Excavate in the Right-of-Way for completing the improvements in the public right of way.
6. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division 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.
7. 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.
8. An Erosion Control Permit is required for this project.
9. 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.
10. Revise the plans to identify the location of the public storm sewer (proposed or existing) that will serve the development and show the connection of the private internal drainage system (roof drain) to the public storm sewer.
11. This project will disturb 4,000 square feet or more of land area and require an Erosion Control Permit. Submit an 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.
12. Demonstrate compliance with MGO Section 37.07 and 37.08 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.

13. 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 Jeff Quamme, (608) 266-4097)

14. Grant a one (1)-foot wide Public Sidewalk Easement(s) to the City on the face of the pending Certified Survey Map along the east line of this CSM to accommodate the public sidewalk and allow one (1)-foot behind the sidewalk for maintenance and repair of the public sidewalk. Contact Jeff Quamme for required language. Also add this easement to the site plan.

15. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds, the new parcel data created by the Assessor's Office, and the parcel data available to Zoning and Building Inspection staff prior to issuance of building permits for new construction or early start permits.

Traffic Engineering Division (Contact Sean Malloy, (608) 266-5987)

16. The submitted plan references a new curb ramp on Van Deusen Street. The Traffic Engineering Division does not support introducing a new curb cut with this proposal.

17. The applicant shall submit for review a student drop-off and pick-up plan. This plan shall include the number of students, estimated modes of arrival by percentage, estimated arrival times, and any requested passenger loading zones.

18. 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.

19. 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.

20. All bicycle parking adjacent pedestrian walkways shall have a two (2)-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4429)

21. The Zoning Board of Appeals, at its meeting of March 21, 2024, conditionally approved the request for a front yard setback variance to construct a vestibule building addition. The proposed plans satisfy the condition of approval for the variance.

22. Section 28.185(9) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9) shall submit documents showing

compliance with the plan within 60 days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission.

23. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 65%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.
24. Increase the setback for the trash enclosure to a minimum of 20 feet. A trash enclosure is not an allowed encroachment in the 20-foot reverse corner side yard setback.
25. 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 10,000 square feet in size must be prepared by a registered landscape architect.
26. Submit details for the trash enclosure. The trash enclosure shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet.
27. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first 60 feet from grade are comprised of less than 50% glass, at least 85% of the glass on glass areas 50 square feet or over must be treated. Of all glass areas over 50 square feet, any glass within 15 feet of a building corner must be treated. Identify which glass areas are 50 square feet or greater and which glass areas will be treated. Provide a detail of the specific treatment product that will be used.
28. Verify whether new site lighting will be installed. New parking lot lighting must comply with MGO Section 29.36 outdoor lighting standards. If parking lot site lighting is provided, submit a lighting photometric plan and fixture cut sheets with the final plan submittal.
29. 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.
30. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Fire Department (Contact Matt Hamilton, (608) 266-4457)

This agency has reviewed this request and recommended no conditions of approval.

Parks Division (Contact Ann Freiwald, (608) 243-2848)

This agency has reviewed this request and recommended no conditions of approval.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

31. The proposed development may require the installation of a fire protection/automatic sprinkler system (see also Madison Fire Department review comments); subsequently, a higher capacity water service lateral may be required to meet required flow rates. If a new water service will be required, contact Madison Water Utility Engineering Section to evaluate service connection options, confirmation of water meter size, or any applicable customer account revisions.

Forestry Section (Contact Brandon Sly, (608) 266-4816)

32. 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.
33. 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.
34. The contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. The 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.
35. 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.
36. Section 107.13(g) of *City of Madison Standard Specifications for Public Works Construction* 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.
37. 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.

38. 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.
39. The developer shall submit a Street Tree Report performed by International Society of Arboriculture Certified Arborist prior to the Plan Commission meeting for City Forestry's review of project. This report shall identify all street trees on proposed project site, species type, canopy spread, tree condition, proposed tree removals, the impacts of proposed construction, and any requested pruning.

Parking Division (Contact Trent W. Schultz, (608) 246-5806)

40. The agency reviewed this project and determined a Transportation Demand Management (TDM) Plan is not required. Per MGO Section 16.03(4), day care center and elementary school uses are exempted from the TDM Ordinance. [Author's Note: This provision/condition does not apply to the conditions recommended by the Planning Division or Traffic Engineering Division elsewhere in this section.]

Certified Survey Map – Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

City Engineering Division (Contact Tim Troester, (608) 267-1995)

1. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
2. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM, contact either Tim Troester (West) at (608) 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).
3. Prior to redevelopment, this project shall comply with MGO Chapter 37 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.
4. 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 half-inch of rainfall over the total site impervious area. If additional stormwater

controls are necessary beyond the first half-inch of rainfall, either green or non-green infrastructure may be used.

City Engineering Division – Mapping Section (Contact Jeff Quamme, (608) 266-4097)

5. Grant a one (1)-foot wide Public Sidewalk Easement(s) to the City on the face of the pending Certified Survey Map along the east line of this CSM to accommodate the public sidewalk and allow one (1)-foot behind the sidewalk for maintenance and repair of the public sidewalk. Contact Jeff Quamme for required language. Also add this easement to the site plan.
6. The access easement per Document No. 1567434 shall be released by recorded instrument or a note shall be added to the note on sheet 3 stating the easement has terminated by the doctrine of merger of title. There is identical ownership of both the dominant tenement and the servient tenement of the easement.
7. The west 40 feet of this CSM is subject to a Joint Driveway Agreement per Document No. 673824. This site is not utilizing this access and is occupying the portion of the easement within this CSM with site improvements that are not driveway improvements. The owner shall work with the two other parties to this easement to have the rights for this site released to the common access easement.
8. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com).
9. Prior to Engineering final sign-off by main office for Certified Survey Maps, the final CSM shall be submitted in PDF format by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
10. Add the word "dedicated" to the corporate owner's certificate as required by statute and also to properly grant the required public sidewalk easement.
11. Remove a portion of the centerline of Homer Court that is connected to the Center of Section 26.
12. This pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds, the new parcel data created by the Assessor's Office, and the parcel data available to Zoning and Building Inspection staff prior to issuance of building permits for new construction or early start permits.
13. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject CSM, 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 shall be void of gaps and overlaps and match the final recorded CSM: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).

*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any submittal.

Traffic Engineering Division (Contact Sean Malloy, (608) 266-5987)

This agency has reviewed the request and recommended no conditions of approval.

Parking Division (Contact Trent W. Schultz, (608) 246-5806)

This agency has reviewed the request and recommended no conditions of approval.

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4429)

This agency has reviewed the request and recommended no conditions of approval.

Fire Department (Contact Matt Hamilton, (608) 266-4457)

This agency has reviewed the request and recommended no conditions of approval.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

This agency has reviewed the request and recommended no conditions of approval.

Metro Transit (Contact Tim Sobota, (608) 261-4289)

This agency has reviewed the request and recommended no conditions of approval.

Parks Division (Contact Ann Freiwald, (608) 243-2848)

This agency has reviewed the request and recommended no conditions of approval.

Forestry Section (Contact Brandon Sly, (608) 266-4816)

This agency has reviewed the request and recommended no conditions of approval.

Office of Real Estate Services

14. 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 final sign-off.
15. 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).

16. 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.
17. 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...
18. Per 236.21(3) Wis. Stats. and MGO Section 16.23(4)(f), the property owner shall pay all real estate taxes and special assessments that may become due prior to CSM recording. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off.
19. Pursuant to MGO Section 16.23(4)(f), the owner shall furnish an updated title report to Office of Real Estate Services, as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report submitted with the CSM application and include all associated documents that have been recorded since the initial title report. A title commitment may be provided, but will be considered only as supplementary information to the title report update. The 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.
20. The Office of Real Estate Services is still reviewing the draft CSM and title report and may have additional comments to be addressed prior to final sign-off and recording of the CSM.