



PREPARED FOR THE PLAN COMMISSION

Project Address: 423-427 West Mifflin Street (District 4, Alder Verveer)
Legistar File ID #: [85410](#), [85411](#), [85625](#)
Prepared By: Lisa McNabola, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Owner: Lorrie K. Heinemann; Madison Development Corporation; 550 West Washington Avenue, Madison, WI 53562

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

Requested Actions:

- [85410](#) – Consideration of a demolition permit to demolish a single-family residence, a two-family residence, and a four-unit apartment building;
- [85411](#) – Consideration of a conditional use in the Downtown Residential 2 (DR2) District for a multi-family dwelling with greater than eight (8) units to allow construction of a four-story, 40-unit apartment building; and
- [85625](#) – Consideration of a Certified Survey Map (CSM) to combine three lots into one at 423-427 West Mifflin Street.

Proposal Summary: The applicant proposes to demolish three buildings and construct a four-story, 40-unit multifamily building on one lot at 423-427 West Mifflin Street.

Applicable Regulations & Standards: Standards of approval for demolition permits are found in MGO Section 28.185(7). Standards of approval for conditional uses are found in MGO Section 28.183(6). The process and standards of approval for Certified Survey Maps are found in MGO Section 16.23(5)(g).

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

Summary Recommendation: The Planning Division recommends the following to the Plan Commission regarding the applications for 423-427 West Mifflin Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- If the Plan Commission can find the approval standards for demolition permits are met for 427 West Mifflin Street, then the Planning Division recommends that it **approve** the demolition of the four-unit apartment building. However, if the Plan Commission cannot find the approval standards met then the related applications cannot move forward as proposed. Based on the findings of the Plan Commission these applications should be either referred or placed on file.
- That the Plan Commission find the approval standards for demolition permits are met for 423 and 425 West Mifflin Street and **approve** the demolition of the two-family residence and single-family residence.
- That the Plan Commission find the approval standards for conditional uses are met and **approve** a four-story, 40-unit multifamily building.

- That the Plan Commission finds the approval standards for Certified Survey Maps are met and forward the Certified Survey Map for 423-427 West Mifflin Street to the Common Council with a recommendation of **approval**.

Background Information

Parcel Location: The project site includes three existing lots that total 17,484 square-feet (.4-acre). It is located on the southside of West Mifflin Street between North Broom Street and North Bassett Street. It is located within District 4 (Alder Verveer) and the Madison Metropolitan School District.

Existing Conditions and Land Use: Per data from the Assessor’s Office, the property at 423 West Mifflin Street is occupied by a two-unit building constructed in 1880. The property at 425 West Mifflin Street is occupied by a single-family building constructed in 1884. The property at 427 West Mifflin Street is occupied by a four-unit building constructed in 1929. The properties are zoned Downtown Residential 2 (DR2) District.

Surrounding Land Use and Zoning:

Northwest: Across West Mifflin Street, small multi-unit buildings and large multifamily buildings, zoned Downtown Residents 2 (DR2) District and Planned Development District;

Northeast: Small multi-unit buildings, zoned DR2 District and PDDistrict; On December 2, 2024 the Plan Commission is considering an application to redevelop the adjacent properties at 418-446 W Washington Ave and 413-417 W Mifflin Street into a 6-story 162-unit apartment building (Legistar ID [85418](#));

Southeast: Small multi-unit buildings, zoned DR2 District and PD District; and

Southwest: Small multi-unit buildings and large multifamily buildings, zoned DR2 District.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2023) recommends Medium Residential (MR) development for the subject property. Adjacent properties are recommended for MR and Downtown Mixed-Use Development. The [Mifflandia Plan](#) (2019) recommends Residential development for the subject site and adjacent properties. The [Downtown Plan](#) (2012) recommends Downtown Mixed-Use for the subject site and adjacent properties.

Zoning Summary: The property is zoned Downtown Residential 2 (DR2) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000 sq. ft.	17,484 sq. ft.
Lot Width	Residential buildings: 30' Non-residential and mixed-use buildings: 40'	106.56'
Front Yard Setback	10'	15.2'
Side Yard Setback	5' Lot width < 40': 10%	5.8' northeast side 20.0' southwest side
Rear Yard Setback	Lesser of 20% lot depth or 20'	21.8'
Usable Open Space	20 sq. ft. per bedroom	2,374 sq. ft.
Maximum Lot Coverage	80%	60%
Minimum Building Height	2 stories	4 stories/52'11"
Maximum Building Height: See Downtown Height Map	6 stories/88'	4 stories/52'11"
Stepbacks: See Downtown Stepback Map	None	4 th story

Site Design	Required	Proposed
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Number Parking Stalls	Not required: Central Area	19 garage 6 surface (25 total)
Electric Vehicle Stalls	10% EV ready:	3
Accessible Stalls	Yes	2
Loading	Not required	None
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (40) 1 guest space per 10 units (4) (44 total)	40 garage 11 surface (including 7 relocated stalls serving 431 W Mifflin St) (51 total)
Landscaping and Screening	Yes	Yes
Lighting	Yes	Yes
Building Form and Design	Yes	Large multi-family building See Comments #(39)(41)(42)

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, Analysis, and Conclusion

Project Description

The applicant proposes to demolish three buildings to construct a four-story, 40-unit multifamily building. A Certified Survey Map (CSM) would combine the three lots into one.

Per data from the Assessor’s Office, the property at 423 West Mifflin Street is occupied by a two-unit building constructed in 1880. The property at 425 West Mifflin Street is occupied by a single-family building constructed in 1884. The property at 427 West Mifflin Street is occupied by a four-unit building constructed in 1929. The applicant provided demolition photos of the exteriors and interiors of the building. No additional information related to the condition of the buildings was provided.

The applicant provided [revised plans](#) dated October 21, 2024. Revisions include adding a larger porch on the front façade and replacing composite siding with brick veneer on the side and rear facades. These plans have not been reviewed by all reviewing agencies and may be subject to additional review for ordinance adherence.

The building is setback 15 feet from West Mifflin Street. The street facing façade is three stories and the fourth story is stepped back approximately 11.4 feet. There are two ground floor units with elevated entries. The porch is divided between the two units and is 44 feet in length and 6 feet in width. The main building entrance is at the west end of the building. There are 11 bike stalls next to the main entrance. A driveway at the western end of the site provides access to six parking stalls and underground parking that has 19 parking stalls and 40 bike stalls.

The primary building materials are a cream brick veneer and a dark grey composite lap siding, with a wood tone composite lap siding used as an accent material. A light grey composite siding is applied to the fourth story.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2023) recommends Medium Residential (MR) development with a density range between 20-90 units per acre generally recommended. The recommended building height ranges from 2-5 stories. MR areas may include a variety of relatively intense housing types, including townhouses, small multifamily buildings, and large multifamily buildings.

The [Mifflandia Plan](#) (2019) recommends Residential development. It recommends 4 stories with a 2-story bonus if the upper stories are stepped back. It also recommends a maximum 15-foot building setback. The Plan includes various urban design recommendations including but not limited to:

- All ground floor residential units facing the street shall have their own street entrance.
- All buildings with residential units shall have front porches/entry stoops over at least approximately half of its ground floor street frontage.
- All street facing residential entries shall include a sizable, usable front stoop or porch area.
- Buildings wider than 33 feet shall be divided into vertical intervals and incorporate articulation, design and massing to respond to the historic 33 feet wide lot rhythm

The [Downtown Plan](#) (2012) recommends Downtown Mixed-Use for the subject site and adjacent properties. Building heights are recommended to be between 2 and 6 stories in the Mifflin district.

Staff note that the proposed density is 100 units per acre, which is slightly higher than the 20-90 units per acre generally recommended in the [Comprehensive Plan](#). However, the development is generally consistent with the height, scale and urban design recommendations in the adopted plans. Staff believe the proposed development is generally consistent with the adopted plan recommendations.

Demolition Permit Standards

The Plan Commission shall consider the seven approval standards in Section 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. On March 29, 2024 the Common Council adopted Ordinance 24-00019 (Legistar ID [81966](#)) to revise the standards of approval to add the following text to standard 4, "For properties determined by the Landmarks Commission to have any historic value or significance, the Plan Commission may consider how demolition and redevelopment of the property relates to the implementation of the City's adopted plans."

Regarding standard 1, "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." In the letter of intent, the applicant notes that a third party is interested in relocating the building at 427 West Mifflin Street, and that they would be willing to give them the structure and contribute to the cost of relocation. Additional information related to the relocation of 427 West Mifflin Street was not provided by the applicant, including the impact on street trees or the structural soundness of the building. In speaking with Alder Verveer, the District Alder, he and the Capital Neighborhoods Neighborhood Association support relocating the structure as it is a historic resource per the findings of the Landmarks Commission. Staff note that the applicant is requesting approval to demolish the building at 427 West Mifflin Street at this time .

Regarding standard 4, "That the Plan Commission has received and considered the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission. For properties determined by the Landmarks Commission to have any historic

value or significance, the Plan Commission may consider how demolition and redevelopment of the property relates to the implementation of the City's adopted plans." At its September 9, 2024 meeting the Landmarks Commission found that the buildings at 423 and 425 West Mifflin Street have historic value related to the vernacular context of Madison's built environment, but the buildings themselves are not historically, architecturally, or culturally significant. The Landmarks Commission found that the building at 427 West Mifflin Street has historic value as the work of noted Madison architect Ferdinand Kronenberg and as an intact example of English Revival style Missing Middle housing in 1920s Madison. See the September 9, 2024 Landmarks Commission [Meeting Report](#) for their discussion of the request (Legistar ID [81161](#)). Regarding the implementation of the City's adopted plans, a discussion on the proposed development's conformance with adopted plans is provided on page 4 of this report. Staff believe the proposed development is generally consistent with the adopted plan recommendations.

Regarding standard 7, "The Plan Commission shall consider the factors and information specified in items 1-6 and find that the proposed demolition or removal is consistent with the statement of purpose of this section and with the health, prosperity, safety, and welfare of the City of Madison." The Plan Commission must consider the required information and advisory recommendations and make findings related to the demolition section's statement of purpose and the overall health, prosperity, safety, and welfare of the City. The statement of purpose states, in part, "The purpose of this section is therefore to ensure the preservation of historic buildings, encourage applicants to strongly consider relocating rather than demolishing existing buildings, aid in the implementation of adopted City plans, maximize the reuse or recycling of materials resulting from a demolition, protect the public from potentially unsafe structures and public nuisances..."

For the building at 423 and 425 West Mifflin Street, staff believe the demolition permit approval standards can be found met.

For the building at 427 W Mifflin Street, consideration should be given to advisory report from the Landmarks Commission, however the Plan Commission is the deciding body on the demolition request. Staff also note that the Plan Commission may consider how demolition and redevelopment of the property relates to the implementation of the City's adopted plans when making their decision.

Conditional Use Standards

A residential building with more than eight units is a conditional use in the DR2 District.

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.

Regarding standard 8, "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. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission for comment and recommendation." Per MGO Section 28.183, the applicant may choose to go to the Urban Design Commission (UDC) for an advisory recommendation and comment prior to going to the Plan Commission if advised by the Plan Commission Secretary or District Alder. In this case the District Alder advised the applicant to go to the UDC.

As part of that review, the UDC Secretary prepared a [Staff Report](#) for the November 6, 2024 UDC meeting which asked the UDC to provide feedback on the building material palette, landscape plan, and lighting (Legistar ID [85372](#)).

At their November 6, 2024 meeting the UDC recommended approval and found the development proposal to be generally consistent with the recommendations in the Mifflandia Plan. The UDC recommended the following conditions, as noted in the recommended conditions of approval:

- The landscape plan shall be revised to show plantings along the east elevation, including a layering of plant material.
- The landscape plan shall be revised to show shredded hardwood bark mulch.
- The landscape shall be revised to remove the turf lawn along W Mifflin Street; ground cover planting is acceptable.

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

Land Division Standards

The proposed Certified Survey Map would combine the three lots associated with 423-427 West Mifflin Street into one lot. Per MGO Section 16.23(3), the Common Council shall act on the land division by December 21, 2024, which is within ninety (90) days of the filing of a complete application. This time can be extended by written agreement with the applicant. Staff believe that all applicable standards for land divisions can be found met, subject to the recommended conditions of approval.

Conclusion

For the building at 423 and 425 West Mifflin Street, staff believe the demolition permit approval standards can be found met. For the building at 427 W Mifflin Street, staff believe that on balance, it is possible to find the demolition permit approval standards met, however careful consideration should be given to advisory report from the Landmarks Commission who found that that building has historic value as the intact work of noted Madison architect. Staff note that Plan Commission is the deciding body on the demolition request. Staff also note that the Plan Commission may consider how demolition and redevelopment of the property relates to the implementation of the City's adopted plans when making their decision. Staff believe the proposed development is generally consistent with the adopted plan recommendations.

Staff believe the approval standards for conditional uses and land division requests can be found met, subject to the recommended conditions of approval.

Recommendation

Planning Division Recommendation (Contact Lisa McNabola, 243-0554)

The Planning Division recommends the following to the Plan Commission regarding the applications for 423-427 West Mifflin Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- If the Plan Commission can find the approval standards for demolition permits are met for 427 West Mifflin Street, then the Planning Division recommends that it **approve** the demolition of the four-unit

apartment building. However, if the Plan Commission cannot find the approval standards met then the related applications cannot move forward as proposed. Based on the findings of the Plan Commission these applications should be either referred or placed on file.

- That the Plan Commission find the approval standards for demolition permits are met for 423 and 425 West Mifflin Street and **approve** the demolition of the two-family residence and single-family residence.
- That the Plan Commission find the approval standards for conditional uses are met and **approve** a four-story, 40-unit multifamily building.
- That the Plan Commission finds the approval standards for Certified Survey Maps are met and forward the Certified Survey Map for 423-427 West Mifflin Street to the Common Council with a recommendation of **approval**.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Land Use Request

Planning Division (Contact Lisa McNabola, 243-0554)

1. The landscape plan shall be revised to show plantings along the east elevation, including a layering of plant material.
2. The landscape plan shall be revised to show shredded hardwood bark mulch.
3. The landscape shall be revised to remove the turf lawn along W Mifflin Street; ground cover planting is acceptable.

Engineering Division (Contact Tim Troester, 267-1995)

4. Informational Comment: The existing sanitary sewer laterals on W. Mifflin St may already be 6' diameter lateral. As-Built for W. Dayton Street is inconclusive.
5. All runoff from the site shall be directed to the public ROW. Further it appears this site needs to accept water from adjacent lands and the plan shall be revised so show how that is being accommodated.
6. 427 W Mifflin has a recorded existing stormwater management system in the SE corner of the site to limit discharge of stormwater to other private lands. The existing document shall be rescinded and a new document recorded for the proposed SWM system on the redeveloped sites. The applicant is reminded that no discharge from the redeveloped site shall be allowed to discharge to private property.

7. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)

8. Construct sidewalk, terrace, curb and gutter and pavement to a plan as approved by City Engineer
9. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
10. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
11. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
12. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
13. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
14. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
15. 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)
16. 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)
17. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking is adjacent to a street low point. The applicant shall provide at a minimum of one (1) foot of rise from the adjacent back of walk in the driveway before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation. The stated elevation is intended to be protective but does not guarantee a flood proof structure. The Developer/Owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service that they are comfortable with.
18. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 100-yr design storm that is current in Madison General Ordinance Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
19. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt

(west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.

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

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.

20. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))

Rate Control Redevelopment: By design detain the 10-year post construction design storm such that the peak discharge during this event is reduced 15% compared to the peak discharge from the 10-year design storm in the existing condition of the site. Further, the volumetric discharge leaving the post development site in the 10- year storm event shall be reduced by 5% compared to the volumetric discharge from the site in an existing condition during the 10-year storm event. These required rate and volume reductions shall be completed, using green infrastructure that captures at least the first 1/2 inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first 1/2 inch of rainfall, either green or non-green infrastructure may be used.

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

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

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

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

Traffic Engineering Division (Contact Luke Peters, 266-6543)

22. 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.
23. 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.
24. 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.
25. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
26. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
27. 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.
28. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.

29. 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.
30. All parking ramps as they approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
31. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Andrew Oliver, (267-1979, aoliver@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
32. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
33. The applicant shall provide a clearly defined 5' walkway, from the front door to the public sidewalk, 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.
34. "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.
35. 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.
36. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
37. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.

Zoning (Contact Jenny Kirchgatter, 266-4429)

38. Submit a minor alteration to the existing Conditional Use for 431 W Mifflin St. The buildings located at 427 through 443 W Mifflin St are currently part of a residential building complex. The proposed 40 unit building will alter the existing residential building complex.

39. Update the elevations to reduce the amount of composite lap siding at the ground floor story. Wood or fiber cement panels shall not be used on the ground story except between the sidewalk and the bottom of storefront windows or as an accent material.

40. 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.

41. Provide details showing that the street-facing façade meets the door and window opening requirements of Section 28.071(3)(e). For street-facing facades with ground story residential uses, ground story openings shall comprise a minimum of fifteen percent (15%) of the façade area, and upper story openings shall comprise a minimum of fifteen (15%) of the façade area per story.

42. 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.

43. 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.

Parks Division (Contact Kathleen Kane, 261-9671)

44. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the Central Park-Infrastructure Impact Fee district. Please reference ID# 24053 when contacting Parks about this project.

Water Utility (Contact Jeff Belshaw, 261-9835)

45. Private wells may have served the parcels associated with this project prior to municipal water service connections. The existing properties will require an internal and external survey for potential unabandoned private wells prior to proceeding with demolition. 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.

46. 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)

47. Metro Transit operates daily all-day transit service along Broom & Bassett Street near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays). Metro Transit operates additional daily all-day rapid transit service along State Street near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays).

48. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 304 Weekday & 147 Weekend (average). Please contact Metro Transit if additional analysis would be of interest.

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

49. 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.

This site conflicts with site plan provided and shown for the existing Stormwater site plan shown in Document No. 5247548 for which there is a blanket easement for, amend this document, this document also has rights about blanket cross use and other items than can be revised as needed to fit the new development. Additionally there is a portion of the proposed new drive that is located on the adjacent parcel that sits outside of any easement that will need an agreement. Provide any revised or new agreements needed to accomplish development as proposed.

50. The adjacent site's Stormwater management plan is based upon the current pond located within the limits of this site. The proposed drive over that pond will alter this plan. Coordinate with the adjacent parcel and provide a new Stormwater Management plan for the adjacent property in place of Document no. 5254019
51. Coordinate and request from the utility companies serving this area the easements required to serve this development.
52. Note on the site plan all of the easements, rights and responsibilities as set forth in document no. 524748
53. Release the Common Drive Easement per Document No. 411854 prior to building permit to allow for proposed development.
54. The proposed new building crosses an underlying platted lot line. Record the concurrent Certified Survey Map (CSM) 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.
55. The address of the proposed apartment building is 429 W Mifflin St.
56. 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.
57. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for apartment buildings.

The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) PRIOR to the verification submittal stage of this LNDUSE with Zoning. The final approved stamped Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall be provided for additional review and approval by Engineering.

Per 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department.

For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved.

Parking Utility (Contact Trent Schultz, 246-5806)

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

Fire Department (Matt Hamilton, 266-4457)

59. Provide fire apparatus access as required by IFC 503 2024 edition, MGO 34.503. The aerial apparatus access lanes to not comply with these requirements. Provide revised fire access documentation meeting these requirements.

Forestry (Bradley Hofmann, 267-4908)

60. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial 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.
61. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.
62. City Forestry will issue a street tree removal permit for two trees: 8" diameter Lilac per City Forestry request to re-plant larger canopy tree & a 4" diameter Lilac tree due to driveway installation conflict. The Contractor shall contact City Forestry at (608)266-4816 to obtain permit. Add as a note on both the demolition and street tree plan set.
63. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper

Land Division Request

Engineering Division (Contact Tim Troester, 267-1995)

64. 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)
65. Construct sidewalk, terrace, curb and gutter and pavement to a plan as approved by City Engineer
66. 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))
67. 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)

Parks Division (Contact Kathleen Kane, 261-9671)

68. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the Central Park-Infrastructure Impact Fee district. Please reference ID# 24053 when contacting Parks about this project.
69. The following note should be included on the CSM: "LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED."
70. The Parks Division shall be required to sign off on this CSM.

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

71. 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.

Proposed Concurrent Development on this site conflicts with site plan provided and shown for the existing Storm water site plan shown in Document No. 5247548 for which there is a blanket easement for, amend this document, this document also has rights about blanket cross use and other items that can be revised as needed to fit the new development.

72. In accordance with Chapter 236, Wisconsin Statutes, the Applicant must show the type, location and width of any and all easements on a Plat or CSM. Clearly identify the difference between existing easements (cite recording data) and easements which are being conveyed by the land division. Identify the owner and/or benefiting interest of all easements. Include any and all language required to properly and legally create any easement by this land division.

List and show the rights as provided in Documents 524758 and 411854 in the Title Report. There is a common drive easement not shown per Document No. 411854 This Document shall be released prior to building construction and/or CSM. Note Existing Driveway Access and Utility Easement is further defined in Document No. 5247548. Additionally note the blanket rights the parcel is subject to, for Cross Drainage and Cross Easement for pedestrian and bicycle uses per Document No. 524754

73. 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.
74. Note the parcel is subject to Document No. 5254019 or amend with new agreement prior to CSM recording that reflects proposed stormwater management prior to recording and note the new Document on the CSM.
75. 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 any required U.S. public land survey monument record provided to the County Surveyor's Office, or, in instances where a public the monuments and witness ties area recovered under A-E 7.08(1g), the Surveyor shall provide to the City of Madison monument condition reports (with current tie sheet attached) for all Public Land Survey monuments, including center of sections of record, used in this survey, to Julius Smith (JSmith4@cityofmadison.com) of City Engineering, Land Information

76. 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.

77. 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.
78. Show ("Recorded As") Bearing for both CSM 14281 and the Pritchette Plat along Mifflin Street. Show the ("Recorded As") bearing and distance of the Pritchette Plat along the northeasterly Line of Lot 6. Show the ("Recorded As") bearing of CSM 14281 along the Southeasterly line of the parcel and the measured and ("Recorded As") distance of Lot 6
79. Add the document no. 109, of the Pritchette Plat of Madison the Capital of Wisconsin ... (Original Plat) to both the header caption and the legal description.
80. State the datum and adjustment for the county coordinate system used. I.E. NAD 83 (91), (97) or (2011) per AE- 7.05(11)
81. Show width of W Mifflin Street and Show distance to measured rebar across street.
82. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits or Early Start permits for new construction.
83. 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 (Contact Lance Vest, 245-5794)

84. 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.

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.

85. 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).

86. CERTIFICATE AND CONSENT REQUIREMENTS

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

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

By: _____ Date: _____

Matthew Wachter, Secretary of the Plan Commission

87. REAL ESTATE TAXES

As of October 28th, 2024, the 2023 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

88. SPECIAL ASSESSMENTS

As of October 28th, 2024, 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.

89. 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 (September 10, 2024) 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.

90. ADDITIONAL REQUIREMENTS

- a. Revise Note 1 of Sheet 1 to reference Building Details on Sheet 4.
- b. Revise or remove Note 2 on Sheet 1.
- c. Revise Note 3 on Sheet 1 to reference both Sheets 2 and 3.
- d. Include a reference to the Declaration of Easements recorded as Document 5247548 for the depictions of the No Build Easement and Main Driveway Access and Utility Easement.
- e. Depict, name, and identify by document number all existing easements cited in record title and the updated title report. In particular, the easements recorded as Doc. Nos. 5254019, 411854, 467557.
- f. If all parties of interest agree that certain easements from prior plats or CSM's of record are no longer necessary, the release documents for said easements shall be recorded prior to CSM approval sign-off, with the recording information for the release included as a Note on the proposed CSM.

The following agencies reviewed the request and recommended no conditions of approval: Traffic Engineering, Zoning, Fire Department, Forestry, Assessor's Office, Metro Transit, Water Utility