Department of Planning & Community & Economic Development
Planning Division
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Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd
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Phone: (608) 266-4635
www.cityofmadison.com

****BY E-MAIL ONLY****

September 12, 2025

Kirk Keller
kkeller@prarch.com

RE: Consideration of a conditional use in the TE (Traditional Employment) District for dwelling units in a mixed-use building to allow construction of a four-story, mixed-use building with 70 units and 8,420 square feet of office space (Legistar ID 89230). Consideration of a Certified Survey Map to combine three lots into one lot (Legistar ID 89231).

Kirk,

On August 25, 2025, the Plan Commission found the standards met and **conditionally approved** your conditional use for 3236-3300 Commercial Avenue and 3235/3237 Burke Avenue. On September 2, 2025 the Common Council **conditionally approved** your Certified Survey Map for 3236-3300 Commercial Avenue and 3235/3237 Burke Avenue. In order to receive final approval of the conditional use and Certified Survey Map and for any other permits that may need to be issued for your project, the following conditions shall be met:

Land Use Application

Please contact Lisa McNabola of the Planning Division at (608) 243-0554 if you have any questions regarding the following two (2) items:

1. The plans shall be updated to address the following, to be approved by the Planning Division during sign-off. The south elevation of the four-story section of the building shall be revised to include either a second building material or windows in the stairwell. The intent of the condition is to create more visual interest along this street facing façade.

2. The applicant has submitted revised plans dated August 14, 2025. These plans have not been reviewed by all reviewing agencies and may be subject to additional review for ordinance adherence.

Please contact Brenda Stanley of the Engineering Division at (608) 261-9127 if you have any questions regarding the following seventeen (17) items:

3. There is limited sanitary sewer capacity in this area of the City. The current utility plan showing the sewer connecting to Commercial Ave. will not require offsite sanitary sewer improvements as a condition for development. Applicant shall provide projected flow calculations to Mark Moder, mmoder@cityofmadison.com, with final planned bedroom counts and land use as a condition for plan approval. Offsite sewer improvements by the developer may be required as a condition for plan approval.

4. The current site has private connection to both the N and the S. The new site shall be required to replace both of those connections and the pipes crossing both road back to the next existing structures.

5. 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)

6. Construct sidewalk, terrace, curb, gutter, and pavement along Commercial Avenue to a plan approved by the City Engineer.

7. Construct sidewalk, terrace, curb, gutter, and pavement along Burke Avenue to a plan approved by the City Engineer. If during the design process it is determined that it will not be practical to install curb and gutter, gravel shoulder should be constructed instead, and the developer shall sign a waiver of assessments to cover 100% of the curb and gutter cost to be installed with a future street reconstruction project.

8. 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)

9. 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))

10. Obtain a permit to plug each existing storm sewer. This permit application is available on line at http://www.cityofmadison.com/engineering/permits.cfm. (MGO CH 37.05(7))

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 over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line: http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm.

    The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.

15. Based on historical documents for an adjoining property (BRRTS #02-13-195941), the property may contain residual contamination. If contamination is encountered, follow all WDNR and DSPS regulations for proper handling and disposal.

16. 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)

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

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

    Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.

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

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

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

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

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

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

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

19. 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).

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following nineteen (19) items:

20. Lower level parking is not dimensioned and as such not reviewable at this time; Traffic Engineering reserves the right to make any comment up to and including comments that may require a redesign and cause the applicant to return to Plan Commission for approval. The applicant should be aware standard parking stalls are 9 feet by 18 feet with 24 foot of back-up, stall widths shall not be encroached upon by any items including columns.

21. The applicant shall dedicate 7.5’ feet of Right of Way along their frontage of Commercial Avenue Service Road. Applicant shall be responsible for construction of five (5) – foot sidewalk and curb and gutter along their frontage.

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, marking and street lighting related to the development; the Developer shall be financially responsible for such signing, marking and street lighting.

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

26. "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.

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

28. 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.

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

30. Applicant shall submit for review a Waste Removal Plan. This shall include vehicular turning movements, times, vehicle size, use of loading zones and all related steps to remove trash from its location.

31. Applicant shall submit for review a Commercial Delivery Plan. This plan will include times, vehicle size, use of loading zones and all related turning movements.

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. All parking ramps as the 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.

34. Include a parking plan demonstrating how specific stalls, to be used by the commercial site, will be reserved. Include any signage to be used to achieve this goal in the submitted plans.

35. The parking facility shall be modified to provide for adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall at the dead ends. The eliminated stall shall be modified to provide a turnaround area ten (10) to twelve (12) feet in width and signed with a "No Parking Anytime."

36. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.

37. 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.

38. 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.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator at (608) 266-4429 if you have any questions regarding the following ten (10) items:

39. The principal building entrance for the commercial portion of the mixed-use building adjacent Commercial Ave shall be an accessible entrance. Principal building entrances on all new buildings shall be oriented to their primary abutting street and be located within the maximum setback. The entrance shall have a functional, operable door and remain open to the public during the same hours as all other public building entrances. Entrances shall be barrier-free, clearly visible and identifiable from the street, and delineated with elements such as roof overhangs, recessed entries, landscaping or similar design features.

40. Verify that the second story of the multi-family portion of the mixed-use building covers a minimum of 75% of the entire building footprint. A minimum of two stories is required for a minimum of seventy-five percent (75%) of the building footprint.

41. Provide electric vehicle ready stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 10% of the parking stalls (9 stalls) must be electric vehicle ready. Identify the locations of the electric vehicle ready stalls on the plans.

42. Relocate the short-term bicycle stalls closer to the primary building entrances on Commercial Ave and Burke Ave. Required short-term bicycle parking spaces shall be located in a convenient and visible area at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance.

43. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.

44. Provide adequate development frontage landscaping adjacent Commercial Ave and Burke Ave per Section 28.142(5) Development Frontage Landscaping. Landscaping and/or ornamental fencing shall be provided between buildings or parking areas and the adjacent street(s), except where buildings are placed at the sidewalk. One (1) overstory deciduous tree and five (5) shrubs shall be planted for each thirty (30) lineal feet of lot frontage. Two (2) ornamental trees or two (2) evergreen trees may be used in place of one (1) overstory deciduous tree. Note that landscaping must be planted on the private property.

45. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For the application of bird-safe glass requirements, the proposed mixed-use building shall be considered one building that is over 10,000 square feet in size (floor area of above-grade stories). Identify which glass areas will be treated, and provide a detail of the specific bird-safe glass treatment product that will be used. Provide the window and door schedule to verify the sizes of the glazed areas.
46. Provide the south elevation of the multi-family portion of the mixed-use building.

47. 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.

48. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Please contact Matt Hamilton of the Fire Department at (608) 266-4457 if you have any questions regarding the following one (1) item:

49. MFD anticipates that the building will have multiple addresses based on street frontages. Comply with the requirements of MGO 34.501 When buildings or a complex of buildings are protected with a single or common fire protection system, a fire department connection and fire alarm annunciator shall be provided for each address in a location approved by the Chief. The fire alarm system shall transmit signals for each address to the central alarm station. In addition to the fire protection components, a key box or vault shall be installed for each address in a location approved by the Chief. It is anticipated that there will be FDC's, Annunciators, and Key Vaults on Burke and Commercial Ave.

Please contact Brian Kowalski of the Parks Division at (608) 243-2848 if you have any questions regarding the following one (1) item:

50. 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(6)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the East Park-Infrastructure Impact Fee district. The Park Impact Fee ID# for this project is 25047. Visit https://www.cityofmadison.com/parks/about/impactFees.cfm for information about Park Impact Fee rates, calculations, and payment process.

Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following one (1) item:

51. 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.

Please contact Timothy Sobota of Metro Transit at (608) 261-4289 if you have any questions regarding the following two (2) items:

52. Metro Transit operates daily all-day rapid transit service along East Washington Avenue near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays).

53. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 67 Weekday & 48 Weekend. Please contact Metro Transit if additional analysis would be of interest.

Please contact Julius Smith of the City Engineering Division – Mapping Section at (608) 264-9276 if you have any questions regarding the following nine (9) items:

54. The Applicant shall Dedicate a 7.5' foot wide strip of Right of Way along Commercial Ave. with the concurrent CSM application.

55. Show 10' x 10' Underground Electric Easement per Doc No. 5507328 assumed to be around the existing transformer on the North side of the parcel.

56. 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 concurrent CSM.

57. Release Access and Parking Easement Per Doc No. 5495880 between the underlying parcels, Prior to building permit issuance.

58. Release 10' Wide Grant for Underground Electric per Document No. 5086595 to allow for construction of proposed improvements.
59. The address of the proposed apartments is 3303 Burke Ave. The address of the proposed commercial office building is 3310 Commercial Ave.

60. 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.

61. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction.

62. 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 Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall provided for additional review and approval by Engineering.

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

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

Please contact Trent Schultz of the Parking Utility at (608) 246-5806 if you have any questions regarding the following one (1) item:

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

Land Division Application

Please contact Brenda Stanley of the Engineering Division at (608) 261-9127 if you have any questions regarding the following five (5) items:

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, gutter, and pavement along Commercial Avenue to a plan approved by the City Engineer.

66. Construct sidewalk, terrace, curb, gutter, and pavement along Burke Avenue to a plan approved by the City Engineer. If during the design process it is determined that it will not be practical to install curb and gutter, gravel shoulder should be constructed instead, and the developer shall sign a waiver of assessments to cover 100% of the curb and gutter cost to be installed with a future street reconstruction project.

67. 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)

68. 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)

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following one (1) item:

69. The applicant shall dedicate 7.5’ feet of Right of Way along their frontage of Commercial Avenue Service Road. Applicant shall be responsible for construction of five (5) – foot sidewalk and curb and gutter along their frontage.

Please contact Brian Kowalski of the Parks Division at (608) 243-2848 if you have any questions regarding the following two (2) items:

70. 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(6)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the East Park-Infrastructure Impact Fee district. The Park Impact Fee ID# for this project is 25047. Visit

https://www.cityofmadison.com/parks/about/impactFees.cfm for information about Park Impact Fee rates, calculations, and payment process.

71. 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.”

Please contact Julius Smith of the City Engineering Division – Mapping Section at (608) 264-9276 if you have any questions regarding the following sixteen (16) items:

72. The Applicant shall Dedicate a 7.5' foot wide strip of Right of Way along Commercial Ave. with the concurrent CSM application.

73. Show 10' x 10' Underground Electric Easement per Doc No. 5507328 assumed to be around the existing transformer on the North side of the parcel.

74. Coordinate Release Access and Parking Easement Per Doc No. 5495880 between the underlying parcels

75. Release 10' Wide Grant for Underground Electric per Document No. 5086595 to allow for construction of proposed improvements in concurrently proposed development.

76. 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.

77. A note shall be added under all of the street names labeled and to be dedicated on the CSM/plat, "Dedicated to the Public for Street Purposes" as required by 236.20(4)(b).

78. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jule Smith, City Engineering (jsmith4@cityofmadison.com)

79. 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.

80. 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.

81. Add a note to sheet 3 of 7 that the existing buildings are to be removed.

82. Add the Document No. 593673 for the Burke Assessor's Plat No.1 to the Caption at the top of each sheet.

83. List the Datum and Adjustment for the Coordinate System used per AE 7.05(11)

84. Note that the N 1/4 Corner of Sec. 05-07-10 is (or was found) collinear with the S 1/4 Corner and the SE Corner of Sec. 32-08-10.
85. List the 484.42' Sub distance between the lead in line and the N 1/4 Corner of Sec. 05-07-10 and clarify that the 595.72' is an overall distance from the S 1/4 Corner on sheet 2 of 7

86. 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 or early start permits for new construction.

87. 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.

Please contact Trent Milliken of the Real Estate Office at (608) 266-5940 if you have any questions regarding the following eight (8) items:

73. 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.

    If any of the land within the CSM boundary is under contract for sale or purchase, and said transfer will be conducted at the time of CSM recording, an escrow agreement may be necessary. Please

discuss closing plans with ORES in advance of CSM signoff.

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.

74. 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).

75. CERTIFICATE AND CONSENT REQUIREMENTS

If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest please include a Certificate of Consent for the option holder and have it executed prior to CSM sign-off, if said ownership interest meets the criteria set forth by Wis. Stat. Sec. 236.34 and Sec. 236.21(2)(a).

A Consent of Lessee certificate shall be included on the CSM for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to CSM sign-off.

Madison Common Council Certificate: There is a minor typo in the clerk signature line. Correct spelling shown below._____
Michael Haas, Acting City Clerk
City of Madison, Dane County Wisconsin

76. TAX INCREMENTAL DISTRICT

The lands within the CSM boundary are partially located within TID 52, a Tax Incremental Financing District. Discussions with Joe Gromacki, the City of Madison's tax increment financing coordinator, may be necessary before recording the CSM if a TIF application is required. Mr. Gromacki can be reached at 608-267-8724 or jgromacki@cityofmadison.com.

If a TIF Loan has been authorized for the project, please inform ORES via email – Trent Milliken (tmilliken@cityofmadison.com).

77. REAL ESTATE TAXES

As of 8/11/2025, the 2024 real estate taxes are paid for the subject property.

78. SPECIAL ASSESSMENTS

As of 8/11/2025, 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(4)(f)(3).

79. TITLE REPORT UPDATE

Pursuant to Madison City Ordinance Section 16.23(4)(c)(1), the owner shall furnish an updated title report to ORES via email to Trent Milliken (tmilliken@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 (6/12/2025) 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.

80. ADDITIONAL REQUIREMENTS

Depict, name, and identify by document number all existing easements cited in record title and the updated title report. Document No 5507328 mentioned in title report but not depicted or noted in CSM draft (easement document mentions “Exhibit A” but it is not included).

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.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Please now follow the procedures listed below for obtaining your conditional use:

1. After the plans have been revised per the above conditions, please submit one (1) complete digital plan set in PDF format and any other supporting materials that are necessary, as specified in this letter to sprapplications@cityofmadison.com (note: A 20MB email limit applies and multiple transmittals may be required). The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.

2. A check for the site plan review fee shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.

3. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.

4. The conditional use approval is valid for two (2) years from the date of the Plan Commission approval. During this time, the applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted.

5. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. The Zoning Administrator may issue permits for minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the City Plan Commission and the conditional use approval standards.

6. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

Please now follow the procedures listed below for your Certified Survey Map:

1. In order to commence the process for obtaining the necessary City signatures on the Certified Survey Map, the applicant shall e-mail the revised CSM, updated title report, and any other materials required by reviewing agencies to the reviewing planner. The reviewing planner will share the updated materials with the relevant commenting City agencies for them to verify that their conditions have been satisfied and that the secretary or designee may sign the Plan Commission approval certificate. Once the Plan Commission certificate is executed, the Planning Division will make the City Clerk's Office aware that the Common Council certificate may be executed.

2. Once all of the necessary City signatures have been affixed to the Certified Survey Map, the instrument may be recording at the Dane County Register of Deeds Office. For information on recording procedures and fees, please contact the Register of Deeds at (608) 266-4141.

3. Any appeal from this action, including the conditions of approval, must be filed with the Circuit Court within 30 days from the date of this letter. The approval of this CSM shall be null and void if not recorded in twelve (12) months from the date of the approving resolution or this letter, whichever is later.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if I may be of any further assistance, please contact my office at 243-0554 or lmcnabola@cityofmadison.com.

Sincerely,

Lisa McNabola
Planner

I hereby acknowledge that I understand and will comply with the above conditions of approval for conditional uses.

_____

Signature of Applicant

_____

Signature of Property Owner (if not the applicant)

LNDUSE-2025-00060			
For Official Use Only, Re: Final Plan Routing			
☒	Planning Div.	☒	Engineering Mapping Sec.
☒	Zoning Administrator	☒	Parks Division
☒	City Engineering	☐	Urban Design Commission
☒	Traffic Engineering	☐	Recycling Coor. (R&R)
☒	Fire Department	☒	Water Utility
☒	Metro Transit	☒	Other: Forestry, Parking Utility