PLANNING DIVISION STAFF REPORT

March 16, 2026

Project Addresses:	**411-433 W Gilman Street**
Application Type:	Demolition Permit, Zoning Map Amendment, Conditional Use, and Certified Survey Map Referral
Legistar File ID #	91233, 91234, 91236, 90916, 90614 and 90618
Prepared By:	Chris Wells, Planning Division Report includes comments from other City agencies, as noted
Reviewed By:	Kevin Firchow, AICP, Principal Planner Meagan Tuttle, AICP, Planning Director

Summary

Applicant: Jason Doornbos; LCD Acquisitions, LLC; 315 Oconee Street; Athens, GA 30601

Property Owners:

411 W Gilman Street:	Cook and Erickson; 203 E. Main St., Apt. 315, Waunakee, WI 53597
415 W Gilman Street:	Master Hall Associates, LLP; 401 N. Carroll St., Madison, WI 53703
421 W Gilman Street:	421 West Gilman Street, LLC; 121 S. Brittingham Place, Madison, WI 53715
425 W Gilman Street:	Mullins Apartments, LLP; 401 N. Carroll St., Madison, WI 53703
433 W Gilman Street:	Fisher Construction, Inc.; Ridgeview Investments of Madison, LLP; N17W24222 Riverwood Drive, Ste. 250; Waukesha, WI 53188

Contact Person: John Myefski; Myefski Architects; 400 N Michigan Ave, Suite 400; Chicago, IL 60611

Surveyor: Kevin Pape, Vierbicher; 999 Fourier Drive, Suite 201; Madison, WI.

Requested Actions:

- ID 91233 – Consideration of a demolition permit to demolish a commercial building at 411 W Gilman Street;
- ID 91234 – Consideration of a demolition permit to demolish a commercial building at 415 W Gilman Street;
- ID 91236 – Consideration of a demolition permit to demolish a commercial building at 433 W Gilman Street;
- ID 90916 – Creating Section 28.022-00742 of the Madison General Ordinances to change the zoning of property located at 411 W Gilman Street from DC (Downtown Core) District to UMX (Urban Mixed-Use) District;
- ID 90614 – Consideration of a conditional use in the [Proposed] Urban Mixed-Use (UMX) District for a new building with greater than six (6) stories, and consideration of a conditional use in the UMX District for outdoor recreation, to allow construction of a sixteen-story mixed-use building with 2,544 square feet of commercial space and 258 multi-family units; and
- ID 90618 – Approving a Certified Survey Map of property owned by LCD Acquisitions, LLC located at 411-433 W Gilman Street.

Proposal Summary: The applicant is requesting several approvals to construct a sixteen-story mixed-use building that will contain 2,544 square feet of commercial space and 258 apartments following demolition of a one-story commercial building at 411 W Gilman Street containing a restaurant, the seven-story, 110-unit *Master Hall* apartment building at 415 W Gilman Street, a three-story, four-unit apartment building at 421 W Gilman Street, and a four-story, 20-unit apartment building at 433 W Gilman Street. The demolitions of 411, 415 and 433 W Gilman Street require Plan Commission approval. The twelfth floor of the proposed building will include a pool and amenity deck. The project is scheduled to commence in fall 2026, with completion anticipated in summer 2029.

Applicable Regulations & Standards: MGO §28.182 of the Zoning Code provides the process for zoning map amendments. Table E-2 in MGO §28.072(1) identifies *dwelling units in a mixed-use building* as a permitted use in the [proposed] UMX district while *accessory outdoor recreation* requires a conditional use in UMX zoning. The Supplemental Regulations [MGO §28.151] contain further applicable regulations for *Outdoor Recreation*. MGO §28.076(4)(c) requires that all new buildings with more than six (6) stories obtain conditional use approval following a recommendation by the Urban Design Commission using the Downtown Urban Design Guidelines. Section 28.183 provides the process and standards for the approval of conditional use permits. Section 28.185 provides the process and standards for the approval of demolitions. Lastly, MGO §16.23(5)(g) provides the process and standards of approval for certified survey maps.

Review Required By: Landmarks Commission, Urban Design Commission, Plan Commission, and Common Council.

Summary Recommendations: The Planning Division recommends the following to the Plan Commission regarding the applications for 411-433 W Gilman Street:

- That if the Plan Commission can find that all applicable standards of approval for demolition permits are met for 411 W Gilman Street, the Plan Commission should approve the demolition permit. However, if the Plan Commission cannot find that all applicable standards of approval for demolition permits are met for 411 W Gilman Street, the Plan Commission should place the demolition permit request on file;
- That if the Plan Commission can find that all applicable standards of approval for demolition permits are met for 415 W Gilman Street, the Plan Commission should approve the demolition permit. However, if the Plan Commission cannot find that all applicable standards of approval for demolition permits are met for 415 W Gilman Street, the Plan Commission should place the demolition permit request on file;
- That if the Plan Commission can find that all applicable standards of approval for demolition permits are met for 433 W Gilman Street, the Plan Commission should approve the demolition permit. However, if the Plan Commission cannot find that all applicable standards of approval for demolition permits are met for 433 W Gilman Street, the Plan Commission should place the demolition permit request on file;
- That if the Plan Commission can find that all applicable standards of approval for demolition permits are met for 411, 415 and 433 W Gilman Street, that the Plan Commission finds that all applicable standards of approval for conditional uses are met and approve the requested conditional uses for the proposed building at 411-433 W Gilman Street. However, if the Plan Commission cannot find that all applicable standards of approval for demolition permits are met for 411, 415 and 433 W Gilman Street, the Plan Commission should refer the conditional use requests to a future meeting to allow the applicant the opportunity to make the necessary changes to accommodate the 411, 415 and 433 W Gilman Street buildings in the proposal;
- That the Plan Commission find the standards are met and forward Zoning Map Amendment ID 28.022-00742, rezoning 411 W Gilman Street from DC (Downtown Core) District to UMX (Urban Mixed-Use) District, to the Common Council with a recommendation of **approval**; and
- That the Plan Commission forward the Certified Survey Map to combine 411, 415, 421, 425 and 433 W Gilman Street into one lot to the Common Council with a recommendation of **approval**.

Approval of the project should be subject to input at the public hearing, and the recommended conditions beginning on **page 15** of this report for the land use requests, and on **page 26** for the CSM.

Background Information

Parcel Location: A 39,258-square-foot (0.9-acre) parcel (per CSM) located on the southeast side of W Gilman Street, between N Broom Street and N Frances Street. It is located within Alder District 2 (Ochowicz) and the Madison Metropolitan School District.

Existing Conditions and Land Use:

- According to City records, the parcel at 411 W Gilman Street is approximately 4,356 square feet in area and is developed with a roughly 2,175-square-foot, one-story commercial building which currently contains the restaurant FUGU. The building was originally constructed in 1949 and the parcel is zoned DC (Downtown Core District);
- The roughly 13,070-square-foot parcel at 415 W Gilman Street is developed with a seven-story, 110-unit apartment building (called *Master Hall*) which was originally constructed in 1966. It is zoned UMX (Urban Mixed-Use District);
- The parcel at 421 W Gilman Street is approximately 4,356 square feet in area and is developed with a three-story, four-unit apartment building which was originally constructed in 1905. It is zoned UMX;
- The roughly 9,190-square-foot parcel at 425 W Gilman Street is completely paved and is occupied by a roughly 28-stall private parking lot which serves the adjacent buildings. It is zoned UMX; and
- The parcel at 433 W Gilman Street is approximately 7,280 square feet in area is developed with a four-story, 20-unit apartment building which was originally constructed in 1916. It is zoned UMX.

Surrounding Land Use and Zoning:

Northwest: Across W Gilman Street is 'The Hub' mixed-use development and various two- to four-story mixed-use and commercial buildings, all located in the Downtown Core (DC) District;

Northeast: A two-story, multi-tenant commercial building, zoned DC;

South and Southwest: 'The James', a 12-story mixed-use building with ground floor commercial and 348 units in the UMX (Urban Mixed-Use) District; and

Southeast: '420 West', a six-story, 80-unit apartment building, zoned PD (Planned Development) District.

Adopted Land Use Plans: The 2012 Downtown Plan includes the subject site and adjacent properties located north of W Gorham Street and University Avenue extending north of State Street in the "State Street" District. The Plan recommends that the subject site and nearby properties on both sides of Gorham-University be developed with Downtown Mixed-Uses. The Plan seeks to maintain and enhance the "unique," "vibrant," "special," and "intimate" character of the State Street District as the City's "premier" destination for shopping, dining, culture and entertainment by reinforcing the pedestrian-scale of the district and "human-scale" developments that promote synergy and interaction (Objective 4.2). Away from State Street, the recommendations for the district allows for some development of a larger scale to be considered along W Gorham Street and University Avenue.

The Comprehensive Plan as amended through 2024 recommends the subject site and surrounding properties for Downtown Mixed-Use (DMU).

Zoning Summary: The subject site will be zoned UMX (Urban Mixed-Use District):

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000 sq. ft.	39,258 sq. ft.
Lot Width	30'	297.44'
Front Yard Setback	0' or 5'	0' (*See Comment #54*)
Max. Front Yard Setback	10'	0'
Side Yard Setback	0'	5.0' north side yard 0' south side yard
Rear Yard Setback	10'	10.0'
Maximum Lot Coverage	90%	89%
Minimum Building Height	2 stories	8 stories/<88' 12 stories/<116' 16 stories/<172'
Maximum Building Height: See Downtown Height Map	6 stories/88 feet 8 stories/116 feet 12 stories/172 feet	8 stories/<88' 12 stories/<116' 16 stories/<172' (*See Comment #55*)
Stepback: See Downtown Stepback Map	15' stepback above 4 stories	15'-4" stepback at 5th floor

Site Design	Required	Proposed
Number Parking Stalls	No minimum required: Central Area	72
Electric Vehicle Stalls	10% EV ready: 7	3 EV installed 15 EV ready
Accessible Stalls	Yes	3
Loading	Not required	None
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (430) 1 guest space per 10 units (26) General retail; service business; office: 1 per 2,000 sq. ft. floor area (2 minimum) (458 total)	431 long-term 28 surface (459 total) (*See Comments #56 & #57*)
Landscaping and Screening	Yes	Yes (*See Comments #58 & #59*)
Lighting	Yes	No (*See Comment #62*)
Building Form and Design	Yes	Flex building (*See Comments #60 & #61*)

Other Critical Zoning Items	
Yes:	Urban Design (UMX Zoning District), Utility Easements, Barrier Free (ILHR)
No:	Historic District; Floodplain, Wetlands, Wellhead Protection, Adjacent to Park, TOD Overlay

Tables Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator

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

Public Utilities and Services: The site is served by a full range of urban services, including daily all-day Metro Transit service south of the site along University Avenue and W Johnson Street - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays). Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 373 Weekday and 165 Weekend (average). Please contact Metro Transit if additional analysis would be of interest.

Project Description

The applicant is requesting approval to rezone the roughly 4,355-square-foot (0.1-acre) parcel at 411 W Gilman Street from DC to UMX and conditional uses to construct a sixteen-story, mixed-use building at 411-433 W Gilman Street. The proposed building will replace four buildings, including the one-story building at 411 W Gilman Street which contains a restaurant; the seven-story, 110-unit *Master Hall* apartment building at 415 W Gilman Street; the three-story, four-unit apartment building at 421 W Gilman Street; and the four-story, 20-unit apartment building at 433 W Gilman Street. The demolition of 411, 415 and 433 W Gilman Street also require Plan Commission approval due to findings of historic value for those structures by the Landmarks Commission. The applicant is also requesting approval of a Certified Survey Map (CSM) to combine the five underlying parcels into one lot.

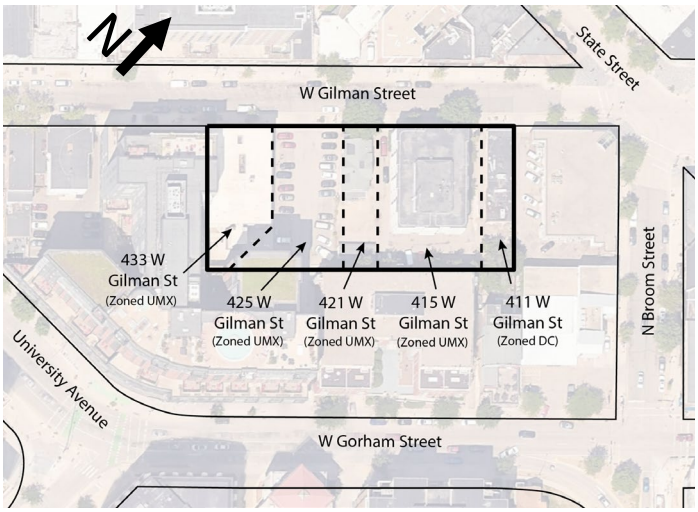

Image 1: The parcels proposed to be combined via Certified Survey Map (CSM) to form the subject parcel.

The roughly 0.9-acre site occupies roughly the central half of the southeasterly side of the block of W Gilman Street located between N Broom Street and N Frances Street. Following demolition of the four existing buildings, the applicant is proposing to construct a 16-story, mixed-use building with roughly 2,545 square feet of commercial space along W Gilman Street and 258 residential units on the floors above. Located along the building's W Gilman Street ground floor façade, the retail space will occupy the northeastern end; a roughly 6,000-square-foot lobby (with main entrance to residential units above) and fitness space will occupy the center half; and a historic display containing information about the history of the buildings which previously occupied the site (i.e. those proposed for demolition) will occupy the southwest end. Located in between the lobby space and historic display is the entry to the underbuilding parking as well as the trash room and bike parking. Thirty-eight automobile parking stalls will occupy the rear of the ground floor and a ramp at the northeast end will provide access to 34 stalls on the lower level. The applicant has clarified that none of the underbuilding automobile parking stalls will be for customers of the retail space but rather only for retail employees as well as the building's residents. A total of 459 bicycle parking stalls – for guests as well as building residents – are located in various locations on the same two levels as well as around the building's periphery.

The building's upper floors will include 258 apartments – four studios, 26 one-bedroom units, 93 two-bedroom units, 13 three-bedroom units, 37 four-bedroom units, and 85 five-bedroom units, for a total of 838 bedrooms. However, because 25 of the 1-bedroom units and 66 of the 2-bedroom units will be double occupancy, and three of the 3-bedroom units will contain a total of four beds, while the total number of bedrooms in the building will be 828, the total number of beds will be 986. As for amenities, besides the aforementioned fitness room on the ground floor, the second floor will contain a roughly 1,300-square-foot study room, while the twelfth floor will contain two large amenity rooms and a roughly 10,000-square-foot landscaped outdoor deck with pool. (One of the conditional uses triggered for this proposal is for this pool, which zoning classifies as *outdoor recreation*.)

The proposed building's massing is largely in response to the maximum building heights allowed by the Downtown Height Map (Sec 28.071(2)(a) of the Zoning Code) for the various areas of the site, as shown in Image 2 to the right. For the subject site, in the portion of the site at the north corner (shaded green in Image 2) which is limited to six (6) stories and 88 feet by Sec 28.071(2)(a), the applicant is proposing eight stories but at roughly 75 feet in height. For the middle portion of the site (shaded blue) which is limited to eight (8) stories and 116 feet, the applicant is proposing 12 stories but at roughly 105 feet in height. Finally, for the southwest portion of the site (shaded red) which is limited to twelve (12) stories and 172 feet, the applicant is proposing 16 stories but at roughly 156 feet in height.

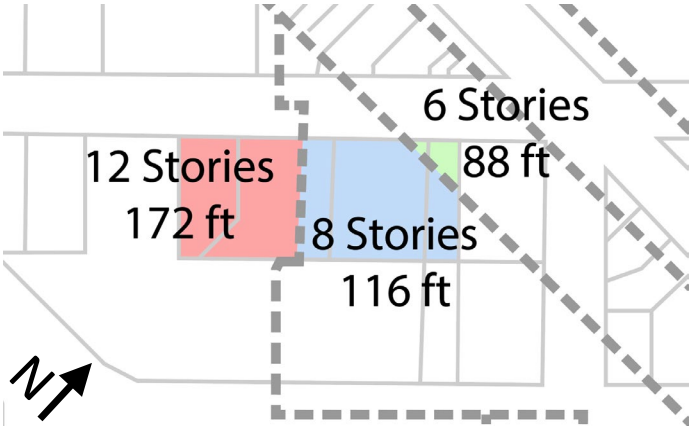

Image 2: Maximum Allowable Building Heights for the Three Areas of the Subject Site as Outlined in Table 28E-3 in Sec 28.071(2)(a) of the Zoning Code.

These additional stories would be allowed through the recording of a Land Use Restriction Agreement (LURA) which would guarantee that a portion of the beds on the additional floors would be provided at below market rates to students from households with low or moderate incomes for a specified period of time. Section 28.071(2)(a)2. Provides more information regarding the LURA requirements. Staff note that the LURA will require a separate approval process (requiring approval by the City Attorney, adoption by the Common Council, and execution and recording of the final document with the Dane County Register of Deeds) prior to the issuance of building permits for this project.

Zoning Staff have confirmed that the proposed building heights in the three areas shown in Image 2, as measured in feet, are all still below the maximums allowed by Sec 28.071(2)(a) of the Zoning Code. Furthermore, Zoning staff have also confirmed that the proposed building satisfies the 15-foot massing stepback above the fourth floor along W Gilman Street, as required by Section 28.071(2)(c) of the Zoning Code. Lastly, Staff note that all elements of the proposed building appear to be at least two feet below the Capitol View Preservation Height Limit.

Regarding exterior building materials, the building's lower four stories will be clad with a brown brick and the massing will step back at regular intervals to create four roughly 50-foot-wide masses along the W Gilman Street sidewalk. Grey medal paneling will be deployed in two of the recesses to further accentuate the modulation. Grey aluminum storefront systems will be used along the ground floor and a dark grey coping used at the top of the brick. In contrast to the heavier and darker materials cladding the lower four floors, those deployed on the upper floors – primarily glass and grey and white metal paneling – are lighter in color and appearance.

Staff note that the ground floor canopies which extend out over the public sidewalk, will need approval of a Privilege in Streets agreement. A condition requiring such an agreement has been recommended in the agencies conditions listed at the end of this report.

Analysis

The applicant is first requesting approval by the Plan Commission to demolish the structures at 411, 415 and 433 W Gilman Street. Next, they are seeking approval to rezone the parcel at 411 W Gilman Street from DC to UMX District to make it's zoning the same as the other parcels proposed to be combined into one via the proposed Certified Survey Map. In UMX zoning, any new building with greater than six stories requires conditional use approval by the Plan Commission following a recommendation by the Urban Design Commission using the Downtown Urban Design Guidelines. Additionally, the rooftop pool and deck, classified by Zoning as *outdoor recreation*, also requires conditional use approval.

Consistency with Adopted Plans

The 2012 Downtown Plan includes the entire proposed site and block as well as those to the northwest and northeast in the "State Street" District. The Plan seeks to maintain and enhance the "unique," "vibrant," "special," and "intimate" character of the State Street District as the City's "premier" destination for shopping, dining, culture and entertainment by reinforcing the pedestrian-scale of the district and "human-scale" developments that promote synergy and interaction (Objective 4.2). Away from State Street, the recommendations for the district allow for some development of a larger scale to be considered along W Gorham Street and University Avenue. The recommended height map (page 37) allows up to 12-story buildings to be built on this site.

The Downtown Plan emphasizes the importance of creating appropriately scaled buildings compatible with their surroundings. While the Plan established a Maximum Building Heights Map to create a more predictable development review process for new buildings scaled consistent with their surroundings, it also asserted the importance of topography, view corridors, the presence of historic resources, variety in building heights, and the scale of existing buildings in the vicinity in determining whether a new building may be constructed to the maximum height identified for a specific site or area. Since the adoption of the Downtown Plan, two buildings have been built nearby up to the twelve-story height limit on the Downtown Height Map, including The James, which adjoins the proposed building to the south. Another, The Hub, is located directly across W Gilman Street.

More recently, the subject site and surrounding properties are recommended for Downtown Mixed-Use (DMU) by the Comprehensive Plan as amended through 2024. The DMU land use category is used to delineate areas of the downtown that are outside the core of the downtown but are still appropriate for intensive mixed-use development. DMU areas are generally more focused on residential, retail, and service uses than areas recommended for Downtown Core (DC) by the Plan, but may also include some government and employment uses. Subject to the Downtown Plan height map, some DMU areas are appropriate for mixed-use development that can rival development intensities within DC areas. The Comprehensive Plan defers to the Downtown Plan for details on heights, mix of uses, ground floor uses, pedestrian friendly design, and other considerations that must be addressed for development in the DMU category.

Zoning Map Amendment Standards

The standards for zoning map amendments found in Section 28.182(6) of the Zoning Code state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety, and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Wis. Stats. Section 66.1001(3) requires that zoning map amendments approved after January 1, 2010 be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan."

The Planning Division believes that the request to rezone the subject site to the UMX zoning district to facilitate construction of the proposed mixed-use building is consistent with the recommendations for the site in the Downtown Plan and Comprehensive Plan summarized above.

Demolition Standards

In February 2025, the Common Council adopted Ordinance 25-00010 (ID 86649) to change the demolition review process and approval standards. When a demolition application is submitted, it is first reviewed by the Landmarks Commission. The Landmarks Commission assigns Category A, B, or C to each principal building. Category A buildings have historic value based on architectural significance, cultural significance, or historic significance. Category B buildings have historic value, but the building itself is not historically, architecturally or culturally significant. Category C buildings have no known historic value. The demolition of a Category C building may be approved by the Director of Building Inspection. The demolition of a Category A or B building requires approval by the Plan Commission following a public hearing.

On January 12, 2026, the Landmarks Commission reviewed the demolition applications for the four existing buildings that occupy the subject site. While the Landmarks Commission found that the three-story, four-unit apartment building at 421 W Gilman Street had no known historic value (a Category C finding), it determined that the demolition of the three other structures were either Category A or B demolitions.

The Plan Commission shall not approve the demolition unless it finds that the two approval standards are met for each request.

Standard 1 states: *"Demolition of the existing building(s) is consistent with or will aid in the implementation of adopted plans or with the purpose statement of this section. The Plan Commission may consider how demolition and redevelopment of the property relates to the implementation of the City's adopted plans."*

Per the discussion in the preceding subsection of this report, staff believe the proposed project is consistent with the City's adopted plans.

Standard 2 states*: "There are factors that are found to outweigh the public interest in preserving historic resources. Such a finding may include, but is not limited to:*

i. The building is found to be in such a deteriorated condition that it is not structurally or economically feasible to preserve or restore it.

ii. If the building has historic value, the building has been so altered that it cannot convey its historical association or architectural significance.

iii. *There is a structural or fire hazard, unlawful use of the property, public nuisance, or other public health and safety concern that supports demolition as provided in reports from the Madison Fire Department, Police Department, and/or Building Inspection Division."*

For each of the three requested demolitions, the Plan Commission should consider the report of the Historic Preservation Planner, the action and findings of the Landmarks Commission, and the City's adopted plan recommendations, to determine if it is possible to find the demolition permit approval standards met. If the Plan Commission were to approve the demolition permit, they must find and cite factors that outweigh the public interest in preserving historic resources, including, but not limited to, those listed in Standard 2 above. Staff note

that the construction that proposed building includes a significant amount of additional housing units, including a percentage of those units to be restricted as affordable and reflects the scale and intensity recommended in adopted plans. Conversely, if the Plan Commission finds that the standards are not met, it should detail its findings as well.

If the Plan Commission approves a demolition permit, it may stipulate conditions and restrictions on the proposed building demolition as deemed necessary to promote the public health, safety and general welfare of the community, and to secure compliance with the standards of approval. Conditions may include plans to mitigate the loss of the building to include relocation, salvage of historic materials, adaptive reuse of portions of existing structures, interpretive installations at the site, or other creative mitigation measures.

Further information on each building is summarized below.

411 W Gilman Street

For the one-story commercial building at 411 W Gilman Street, which currently contains a restaurant, the Landmarks Commission recommended a Category B finding "*for historic value related to being the first location for the Rocky Rococo pizza company, but the building itself is not architecturally or historically significant.*" The motion on the finding passed on a 6-1 vote (see the meeting report for more information on the motion and deliberation). Full information on the Landmarks Commission review of the demolition may be found in legislative file ID 91233.

In its Category B finding, the Landmarks Commission recommended no conditions regarding reuse of or historic documentation for 411 W Gilman Street. Staff also note that, according to City historic records, there have been changes to the storefront over time. In regards to this building's condition, the Planning Division staff is unaware of any evidence that the building is in deteriorated condition and further, or that there are structural or fire hazards, unlawful uses, or public nuisances present on the property.

415 W Gilman Street

For the seven-story, 110-unit *Master Hall* apartment building at 415 W Gilman Street, the Landmarks Commission recommended a Category A finding "*for its significant Brutalism Expressionism architecture, intact quality, significance related to the social context of Madison, and potential eligibility for listing on the National Register of Historic Places or as a local landmark. If the demolition is approved, the Landmarks Commission recommends that the Plan Commission require documentation of the exterior of the building through photographs and measured drawings.*" The motion on the finding passed unanimously (see the meeting report for more information on the motion and deliberation). Full information on the Landmarks Commission review of the demolition may be found in legislative file ID 91234.

The cubic building constructed of reinforced concrete was designed by Milwaukee-based architect Jordan Miller and constructed in 1965. The staff report to the Landmarks Commission for this proposed demolition notes "*This Brutalist-style building with its Expressionist cube forms is unique in Madison. The building was constructed in a time when there was a boom in student population in Madison. Most of the new private dormitory buildings were very simple buildings whereas this building had cutting-edge design. […] Brutalist architecture in Madison is typically found on the public buildings constructed at the time, whereas this was a private dormitory.*" Staff also notes the 2021 article about the building and its history written by Michael Bridgeman.

The report submitted by the applicant which was drafted by the private consultant firm Legacy Architecture, discusses possible mitigation measures. It notes, "*Mitigation approaches that reuse, recycle, or recreate elements of the building into a new one seem difficult, given the structure of the building. Reinforced concrete cannot really be extracted and reused in its place or moved. Rather, an approach of recognition rather than direct preservation may be appropriate, similar to how certain federally funded projects under Section 106 guidance will record, study, and honor a historic property being removed. This can take the form of written and photographic documentation or the installation of a memorial, like a historic marker, plaque, or wall text, and images integrated into the new design, including, specifically in this case, some recognition of Master Hall's unique expressionist brutalist design.*"

Staff note that a landmark nomination to make the Master Hall a designated Madison Landmark has been recently submitted by the Madison Trust for Historic Preservation and is currently under review by City Staff – it will be first reviewed by the Landmarks Commission who will make a recommendation to Council, the ultimate approving body. That said, the current redevelopment proposal should be evaluated based on the city standards that were in place when it was submitted (i.e. before this landmarks nomination was received).

Staff is unaware of any evidence that the seven-story multi-family dwelling is in deteriorated condition or that structural or fire hazards, unlawful uses, or public nuisances are present on the property. Staff are also unaware of any additions or substantial modifications to the structure over the years which would impact the historic integrity.

433 W Gilman Street

For the four-story, 20-unit apartment building at 433 W Gilman Street, the Landmarks Commission recommended a Category A finding "*for its architectural significance and potential eligibility for listing on the National Register of Historic Places or as a local landmark. If the demolition is approved, the Landmarks Commission recommends that the Plan Commission require documentation of the exterior of the building through photographs and measured drawings.*" The motion passed unanimously (see the meeting report for more information on the motion and deliberation). Full information on the Landmarks Commission review of the demolition may be found in legislative file ID 91236.

The staff report to the Landmarks Commission for this proposed demolition notes, "*This building, known as the Stratford Apartments, was constructed in 1914 as an apartment building and originally served as student and workforce housing. The Prairie-style apartment building is a rare remaining resource. The City identified this building as a potential landmark in the 2012 Downtown Plan for its architectural significance*." Staff note that while several of the building's elements such as the entryway and brick masonry are all intact, the building has also undergone several alterations over the years, both on the exterior (for example the central windows of the W Gilman Street façade have been replaced with wooden painted panels) and on the interior (the various residential units have been divided and combined numerous times depending on market demands).

The report of the structure and its history which was drafted for the applicant by the private consultant firm Legacy Architecture, discusses possible mitigation measures. It notes, "*A mitigation approach of recognition rather than direct preservation may be appropriate, similar to how certain federally funded projects under Section 106 guidance will record, study, and honor a historic property being removed. This can take the form of written and photographic documentation, the installation of a memorial, such as a historic marker, plaque, or wall text, and images integrated into the new design*."

Staff is unaware of any evidence that the five-story multi-family dwelling is in deteriorated condition or that structural or fire hazards, unlawful uses, or public nuisances are present on the property. Despite several modifications, both on the exterior as well as interior, over time to the building (as noted above), the building has nevertheless been identified over the years as a potential landmark, such as in the 2012 Downtown Plan (see Page 87).

Conditional Use Standards

A conditional use is defined in the Zoning Code as "a use which, because of its unique or varying characteristics, cannot be properly classified as a permitted use in a particular district." The Plan Commission shall not approve an application for a conditional use unless it can find that all of the standards found in Section 28.183(6)(a), Approval Standards for Conditional Uses, are met. That section states: "The City Plan Commission shall not approve a conditional use without due consideration of the recommendations in the City of Madison Comprehensive Plan and any applicable, neighborhood, neighborhood development, or special area plan, including design guidelines adopted as supplements to these plans. No application for a conditional use shall be granted by the Plan Commission unless it finds that all of the [standards for approval in Section 28.183(6) are met]." Before granting a conditional use, the Plan Commission may stipulate conditions and restrictions on the establishment, location, construction, maintenance and operation of the conditional use. Additionally, 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.

Section 28.183(6), M.G.O. lists sixteen approval standards, of which not all are applicable to every conditional use. For this request, Conditional use standards 1–6 and 8 are applicable. Standards 7, 9, 10-16 do not apply. Staff believes that the Plan Commission can find standards are met and this report provides additional staff analysis regarding standards 2,3,5, and 8. Though if any of the demolitions are not approved, plans would need to be revised and the conditional use standards, including 8, may not found to be met without revisions. Staff provide the following discussion:

Standard 2 states:

> *"The City is able to provide municipal services to the property where the conditional use is proposed, given due consideration of the cost of providing those services."*

City Engineering has submitted several conditions related to necessary infrastructure-related considerations. Planning staff believes upon meeting these conditions, this standard could be found met.

Standard 3 states:

> *"The uses, values and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner."*

Planning Staff is recommending a condition requiring the applicant to submit a Management Plan. Planning staff believe upon meeting this condition, this standard could be found met.

Standard 5 states:

> *"Adequate utilities, access roads, drainage, internal circulation improvements for pedestrians, bicyclists, public transit and vehicles, parking supply (in cases with minimum parking requirements) and other necessary site improvements have been or are being provided."*

Staff note that Parking Staff are requiring a Transportation Demand Management Plan to be reviewed and approved and Traffic Engineering Division has requested commercial delivery and waste removal plans for review as conditions of approval. With these conditions, Planning staff believe this standard could be found met.

Standard 8 states, in part:

> *"When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district."*

Staff note that prior to approving a conditional use for any new building in the UMX zoning district proposed to contain more than six stories, the Zoning Code requires that the Urban Design Commission provide a recommendation to the Plan Commission on conformity to the design standards in the Downtown Urban Design Guidelines. The Urban Design Commission reviewed the project at its March 4, 2026 meeting and recommended that the proposed building met the guidelines subject to condition that the planters along W Gilman Street could be used more sparingly, removing them from the locations where they are in close proximity to the entries. More information on the UDC review of the project may be found here (ID 89582). Staff note that the applicant made substantial improvements to the design of the building in response to the feedback received from the UDC at their January 21, 2026 meeting, which involved achieving greater continuity of the detail of and design between the four 4-story masses along W Gilman Street; a relocation and redesign of the garage entry; a redesign of the Gilman Street frontage to soften the hardscape areas, among others.

With the Urban Design Commission's advisory recommendation, staff believe that the Plan Commission may find that Standard 8 is met and recommends that the UDC condition of approval be made part of its approval of the conditional use for the project.

However, staff note that if any of the requested demolition permits associated with this request are not approved, the subsequent level of design and redesign required for the proposal will be such that Staff believe the Plan Commission would not be able to find standard 8 to be met and the Plan Commission would need to consider placing the request on file or referring the project design to a future meeting, as well as a future UDC meeting, to review said design changes.

Supplemental Regulations

Section 28.151 of the Zoning Code includes the following supplemental regulations for Outdoor Recreation:

a) A minimum 25-foot setback area maintained as open space shall be provided along the perimeter of the site wherever it abuts a residential district.

b) If the use will be available to the general public, an arterial or collector street of sufficient capacity to accommodate the traffic that the use will generate shall serve the site. Ease of access to the site by automobiles, transit, bicycles, and pedestrians shall be considered as a factor in the review of any application.

c) The site shall be designed in such a way as to minimize the effects of lighting and noise on surrounding properties. Hours of operation may be restricted and noise and lighting limits imposed as part of the conditional use approval.

d) An appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.

The applicant will be required to submit a management plan to be reviewed and approved by Planning, Zoning and Traffic Engineering staff prior to final sign-off. Given that this management plan will cover the regulations listed above, Staff believe the Supplemental Regulations can be found met.

Criteria for Certified Survey Map

Finally, the Plan Commission may find that the proposed one-lot Certified Survey Map to combine the underlying lots that comprise the subject parcel meets the standards and criteria for approval subject to the conditions in the Recommendations section of the report.

Public Input

At time of writing, Staff have not received any public comments regarding this proposal.

Conclusion

The applicant proposes to construct a sixteen-story, approximately 163-foot-tall mixed-use building containing 2,544 square-feet of first floor commercial space and 258 multi-family dwelling units on a 0.9-acre parcel located at 411-433 W Gilman Street. The parcel at 411 W Gilman Street will need to be rezoned from the DC to UMX District to match the zoning of the rest of the parcels. The development also requires approval of conditional uses by the Plan Commission for a building containing more than six stories and for accessory outdoor recreation for a pool and roof deck on the twelfth floor. Staff believes that the proposed zoning district is consistent with the recommendations for the "State Street" District in the 2012 Downtown Plan and the Downtown Mixed-Use land use category in the 2024 Comprehensive Plan.

The proposed building will replace four structures. The first, a three-story, four-unit apartment building at 421 W Gilman Street, was found by the Landmarks Commission to have no known historic value and can be administratively approved. However, the Landmarks Commission determined that the demolition of the three other structures had some level of historic value (either category A or B) and require Plan Commission consideration.

Located at 411 W Gilman Street is a one-story commercial building which currently contains a restaurant, and was previously the first location of the Rocky Rococo pizza company. During its review of the demolition of the commercial building, the Landmarks Commission found that the building has historic value "*for historic value related to being the first location for the Rocky Rococo pizza company, but the building itself is not architecturally or historically significant*" – a Category B finding.

The next two buildings – the seven-story, 110-unit *Master Hall* apartment building at 415 W Gilman Street and the four-story, 20-unit Stratford Apartments building at 433 W Gilman Street – were recommended by the Landmarks Commission to have a Category A historic value. For the 415 W Gilman Street Master Hall building, the Commission found the (a) historic value "*for its significant Brutalism Expressionism architecture, intact quality,*

significance related to the social context of Madison, and potential eligibility for listing on the National Register of Historic Places or as a local landmark. If the demolition is approved, the Landmarks Commission recommends that the Plan Commission require documentation of the exterior of the building through photographs and measured drawings." For the 433 W Gilman Street Stratford Apartments building, it found the (a) historic value "*for its architectural significance and potential eligibility for listing on the National Register of Historic Places or as a local landmark. If the demolition is approved, the Landmarks Commission recommends that the Plan Commission require documentation of the exterior of the building through photographs and measured drawings.*"

Considering the recommendations of the Landmarks Commission, especially for 415 and 433 W Gilman Street, the Planning Division cannot definitively conclude the demolition standards are met. In order for the Plan Commission to approve any of the demolitions, it shall find that the standards in Section 28.185(6)(c) are met. The Plan Commission should consider the reports of the Historic Preservation Planner, the actions of the Landmarks Commission, and the City's adopted plan recommendations, to determine if it is possible to find the demolition permit approval standards met. If the Plan Commission were to approve the request, they would need to find and cite factors that outweigh the public interest in preserving historic resources. Conversely, if the Plan Commission finds that the standards are not met, it should detail its findings as well. If the Plan Commission does approve the requested demolition permit, Staff has recommended conditions requiring the applicant to document the exterior of the building, through photographs and measured drawings, prior to demolition, a measure which may partially mitigate any loss of historical character or value.

Regarding the conditional use requests, Staff believes, with the conditions of approval recommended by reviewing agencies that the Plan Commission can find the approval standards met. However, staff note that the submitted plans are based on the demolitions being approved. Should any of the demolitions not be approved, significant changes to the plans would be necessary, which would impact whether the conditional use standards could be met as discussed in this report. Finally, staff believe the Plan Commission believe that the land division standards can be found met.

Recommendation

Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

The Planning Division recommends the following to the Plan Commission regarding the applications for 411-433 W Gilman Street:

- That if the Plan Commission can find that all applicable standards of approval for demolition permits are met for 411 W Gilman Street, the Plan Commission should approve the demolition permit. However, if the Plan Commission cannot find that all applicable standards of approval for demolition permits are met for 411 W Gilman Street, the Plan Commission should place the demolition permit request on file;
- That if the Plan Commission can find that all applicable standards of approval for demolition permits are met for 415 W Gilman Street, the Plan Commission should approve the demolition permit. However, if the Plan Commission cannot find that all applicable standards of approval for demolition permits are met for 415 W Gilman Street, the Plan Commission should place the demolition permit request on file;
- That if the Plan Commission can find that all applicable standards of approval for demolition permits are met for 433 W Gilman Street, the Plan Commission should approve the demolition permit. However, if the Plan Commission cannot find that all applicable standards of approval for demolition permits are met for 433 W Gilman Street, the Plan Commission should place the demolition permit request on file;

- That if the Plan Commission can find that all applicable standards of approval for demolition permits are met for 411, 415 and 433 W Gilman Street, that the Plan Commission finds that all applicable standards of approval for conditional uses are met and approve the requested conditional uses for the proposed building at 411-433 W Gilman Street. However, if the Plan Commission cannot find that all applicable standards of approval for demolition permits are met for 411, 415 and 433 W Gilman Street, the Plan Commission should refer the conditional use requests to a future meeting to allow the applicant an opportunity to make the necessary changes to accommodate the 411, 415 and 433 W Gilman Street buildings in the proposal;
- That the Plan Commission find the standards are met and forward Zoning Map Amendment ID 28.022-00742, rezoning 411 W Gilman Street from DC (Downtown Core) District to UMX (Urban Mixed-Use) District, to the Common Council with a recommendation of **approval**; and
- That the Plan Commission forward the Certified Survey Map to combine 411, 415, 421, 425 and 433 W Gilman Street into one lot to the Common Council with a recommendation of **approval**.

Approval of the project should be subject to input at the public hearing, and the recommended conditions beginning **below** for the land use requests, and on **page 26** for the CSM.

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

Planning Division (Contact Chris Wells, cwells@cityofmadison.com (608) 261-9135)

1. That the applicant shall submit a management plan in the format provided by the Zoning Administrator detailing resident move-in and move-out arrangements, trash pick-up, and delivery operations for review and approval by the Zoning Administrator, Director of the Planning Division, and Director of Traffic Engineering or their assigns prior to final approval of the project and issuance of permits for the new building.

2. Prior to final approval of the plans for the proposed building, the plans shall be revised to provide height dimensions on all sides of the building as measured from the highest point of the site. The height in feet of the proposed building shall comply with the Downtown Height Map and related provisions in Section 28.071(2) of the Zoning Code, as confirmed by the Zoning Administrator.

3. That, prior to the issuance or permits to raise the structure, the exterior of the building at 415 W Gilman Street be professionally documented through photographs and measured drawings and submitted for review and approval by the City's Preservation Planner.

4. That, prior to the issuance or permits to raise the structure, the exterior of the building at 433 W Gilman Street be professionally documented through photographs and measured drawings and submitted for review and approval by the City's Preservation Planner.

Urban Design Commission (Contact Jessica Vaughn, UDC Secretary, (608) 267-8740)

5. As per the recommendation by the Urban Design Commission on March 4, 2026:

   - That the planters along W Gilman Street could be used more sparingly, removing them from the locations where they are in close proximity to the entries.

City Engineering Division (Contact Gretchen Aviles Pineiro, (608) 266-4089)

6. As a result of the significant increase in wastewater flow from the planned development, the developer will be required to install offsite sanitary sewer as a condition for development. Applicant will be required to provide projected wastewater flows to Mark Moder, mmoder@cityofmadison.com, so that the new sewer can be properly sized for the new development.

7. The site accepts water in and along the rear of the building. The site shall be designed to accommodate existing drainage patterns.

8. 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)

9. Reconstruct sidewalk, terrace, curb, gutter, and pavement along W Gilman Street to a plan as approved by City Engineer.

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

11. 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)

12. Provide the City Engineer with the proposed earth retention system plan to be used for the site. The earth retention system plan must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system. (POLICY)

13. 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))

14. 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))

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

16. 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.

17. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.

18. 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.

19. The property is adjoining closed Wisconsin Department of Natural Resources (WDNR) Bureau of Remediation and Redevelopment Tracking System (BRRTS) sites (#03-13-561429 HUB AT MADISON, 02-13-206378 JOHNSON HOUSE, 03-13-001634 MULLINS PROPERTY, and 03-13-521331 GREAT DANE DEVELOPMENT). If contamination is encountered, follow all WDNR and Department of Safety and Professional Services (DSPS) regulations for proper handling and disposal.

20. 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)

21. Revise the plans to identify the location of the public storm sewer (proposed or existing) that will serve the development show the connection of the private internal drainage system to the public storm sewer. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))

22. 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.

23. 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.

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.

24. 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).

25. The site plan identifies potential conflicts for underground utilities. ULOs (Utility line openings) will be required prior to the installation of any storm or sanitary lateral serving the site. The Developer shall be fully responsible for identifying conflicts and modifying their designs to fit the site prior to the start of the utility work. (NOTE)

City Engineering Division – Mapping Section (Contact Julius Smith, (608) 264-9276)

26. The Site Plan A-003 indicates a possible frost wall or awning encroaching into the West Gilman right-of-way. The Applicant shall confirm and note on the plans all encroachments, including, (but not limited to) balconies, roof overhangs and underground vaults. Make an application with City of Madison Real Estate for a privilege in streets agreement. Link as follows - http://www.cityofmadison.com/developmentcenter/landdevelopment/streetencroachment.cfm. An approval of the development does not constitute or guarantee approval of any encroachments within a public right of way.

27. Provide clear proof of title/ownership remaining portion of Lot 4 of Block 39 of the Pritchette Plat of Madison the Capitol of Wisconsin (Original Plat of Madison). A portion of the proposed development and current land division includes these lands but the ownership/title is not clear.

28. The proposed new building crosses an underlying platted lot line. Complete the pending concurrent Certified Survey Map (CSM) application 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.

29. The Access easements per Document Nos. 507481 and 5680026 over portions of Lots 6 and 5 of Block 10 of University addition of Madison that will be displaced by the proposed building shall be released by separate document. If any release is required prior to recording the concurrent CSM, acknowledgement of the release and document number shall be noted on the face of the CSM.

30. 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. Note there are overhead lines present along the midblock line that may have existing rights. Coordinate with the utility companies serving this area to confirm any existing rights they may have

31. The address of the proposed apartment building is 427 W Gilman St. Additional addresses will be determined when floor plans are received.

    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.

32. 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 per floor 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.

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

33. All parking stalls must be clear of any and all obstructions (including columns) to be considered a legal parking stall. For large car this means 9' by 18' clear, for one-size-fits-all this means 8.75' by 17' clear. Applicant shall ensure a minimum of 7’0” vertical height clearance for residential parking stalls.

34. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawing shall be scaled to 1” = 20’ and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; 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.

35. 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.

36. 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.

37. All parking facility designs shall conform to the standards in MGO Section 10.08(6).

38. "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.

39. 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. The applicant shall work with Traffic Engineering on reducing the width of the curb cut as much as possible.

40. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan. Terrace shall be restored and paved with concrete.

41. 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.

42. 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.

43. 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.”

44. The applicant shall provide a clearly defined 5’ walkway from their entrance 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.

45. 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.

46. The applicant shall demonstrate use of loading zone with turning template

47. 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.). If applicant believes public safety can be maintained they shall apply for a waiver of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the waiver shall be the determination of the City Traffic Engineer. Contact Jeremy Nash with Traffic Engineering at 608-266-6585 or jnash@cityofmadison.com to begin waiver process.

48. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and limited access to the Public Right-of-Way on West Gilman Street will be granted for construction purposes. Other construction projects on this block of West Gilman Street may be taking place at the same time, applicant shall coordinate work to ensure access to neighboring sites and public access. Provide a detailed construction plan to Traffic Engineering for review prior to final signoff.

49. Note: The applicant is encouraged to provide 120V power at bike parking stalls for resident's E-Bikes

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

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

51. The applicant shall be required to compensate the Parking Utility for the net present value of the twenty year revenue stream for each metered parking stall removed as a result of this project. The current compensation rate is $44,331 per metered stall removed.

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

53. Per Section MGO 12.138(14), residents of the development project would not be eligible for the Residential Parking Permit Program (RP3). It is recommended that this prohibition be noted in the leases for the residential units.

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

54. Show the distance between the curb face and property line to verify the front yard setback requirement. The front yard setback is 0 if the distance between the curb and property line is equal to or greater than 15 feet. A no-build easement may be used to achieve the 15 foot distance. If the distance between the curb and property line is less than 15 feet, the front yard setback is 5 feet.

55. The applicant proposes to exceed the maximum number of stories (6 stories/88 feet, 8 stories/116 feet, 12 stories/172 feet). Per Section 28.071(2)(a)2., buildings with a voluntary contractual Land Use Restriction Agreement ("LURA") with the City of Madison to provide income and rent-restricted dwelling units or bedrooms in a dwelling unit ("affordable units") may exceed the maximum number of stories, provided the building remains at or below the maximum height in feet in Table 28E-3. Provide Zoning staff with a copy of the recorded LURA.

56. Bicycle parking for the commercial tenant space shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and will be reviewed prior to obtaining zoning approval for each use. Provide a minimum of two (2) short-term bicycle parking stalls located in a convenient and visible area on a paved or pervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance.

57. Show the dimensions of the bicycle stalls and the access aisles within the bicycle storage areas. Note: A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5) foot wide access area. The access aisle must not be obstructed by vehicles, columns or other structures. Provide details of the proposed bike racks including any vertical or wall mount bike racks.

58. 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.

59. Provide landscape details for the courtyards and rooftop patio.

60. Show the height and width of the parking garage opening. Parking garage openings visible from the sidewalk shall have a clear maximum height of sixteen (16) feet and a maximum width of twenty-two (22) feet. Garage doors or gates shall be located a minimum of ten (10) feet from the front property line. Doors to freight loading bays are exempt from this requirement.

61. Provide details showing that the building façades meet the door and window opening requirements of Section 28.071(3)(e). For street-facing facades with ground story non-residential uses, the ground story door and window openings shall comprise a minimum of fifty percent (50%) of the facade area. Ground story window and door openings for residential uses shall comprise a minimum of fifteen percent (15%) of the façade area. Upper story openings shall comprise a minimum of fifteen percent (15%) of the facade area per story.

62. Exterior lighting shall be provided in accordance with City of Madison General Ordinances Section 29.36. Provide an exterior lighting photometric plan and fixture cut sheets with the final plan submittal.

63. Prior to final sign off and the issuance of permits, the applicant shall submit a management plan on the form provided by the Zoning Administrator. The management plan shall be approved by the Planning Division Director and Zoning Administrator (or their designees) prior to final approval.

64. Work with Zoning staff to establish a project completion date. 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.

65. 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 and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

66. MG&E Transformer Vault would be considered part of the building based on egress, etc. through the building. That room shall comply with all code requirements which may include detection systems, sprinklers, control of HVAC system on smoke control panel, etc.

67. Based on building height, fire service access elevators will be required.

68. The courtyard conceptual rendering appears to show a fire feature. Based on the courtyard size they would not be allowed as they need to maintain a minimum distance of 10' from any openings, and 5' from any combustibles per MGO 34.308.

69. Document fire access plan showing compliance with the 2024 IFC and MGO 34.

Parks Division (Contact Emma Krug, (608) 263-6850)

70. Park impact fees are due and payable prior to building permit or early start permit issuance. Contact parkimpactfees@cityofmadison.com.

71. 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 Central Park-Infrastructure Impact Fee district. The Park Impact Fee ID# for this project is 25082. Visit https://www.cityofmadison.com/parks/about/impactFees.cfm for information about Park Impact Fee rates, calculations, and payment process.

72. Low-cost housing is exempt from Park Impact Fees. This exemption only applies to those dwelling units or bedrooms within a development that are determined to be low-cost housing. This exemption does not extend to the land dedication requirements set forth under Sec. 16.23(8)(f), MGO, nor any other impact fees that may apply to a development.

73. The park impact fee will be exempt for developments that meet the “low-cost housing” requirements, as defined as rental or owner-occupied housing units that are affordable, as that term is defined in Sec. 4.22(2), MGO, and which meet the deed restriction requirements of Sec. 4.22(7). A low-cost housing certification from the Community Development Division is required for Park Impact Fee exemptions. For projects that do not receive funding from the Community Development Division, a Land Use Restriction Agreement (LURA) with the Parks Division is required. If a Parks-LURA is required, requests can be emailed to parkimpactfees@cityofmadison.com

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

74. There is a connection fee of $2,242.00 associated with this property that will need to be paid prior to connecting to the existing water service.

75. 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, otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Avenue. 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 and 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.

Forestry Section (Contact Bradley Hofmann, (608) 267-4908)

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

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

78. 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 whose 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.

79. City Forestry will issue a street tree removal permit for two 4-inch diameter trees: an elm along W Gilman Street and the coffeetree along N Frances Street due to construction conflicts. The contractor shall contact City Forestry at (608) 266-4816 to obtain permits. Add as a note on both the demolition and street tree plan set.

80. City Forestry will issue a street tree removal permit for four trees 7"-22" diameter for construction conflicts: 8" Pear, 6" Elm, 22" White Ash, & 7" Pear. City Forestry will remove a 2" Coffee tree due to poor condition. 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.

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

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

83. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website: https://www.cityofmadison.com/business/pw/specs.cfm) addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.

84. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.

85. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608)266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on both the site and street plan sets.

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

87. 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.

88. On this project, the installation of a pavement support system (Silva Cell ®, GreenBlue® or equivalent as approved by city) surrounding tree grate locations is required where the terrace is concrete. The Contractor shall contact City Forestry at (608) 266-4816 to identify and locate underground conflicts (utilities, vaults, conduit) or other underground obstructions and determine grate locations before support system installation. Add as a note on both the site and street tree plan set.

89. No later than five business days prior to forming concrete and constructing tree grate sites, the Contractor shall contact City Forestry at (608) 266-4816 to identify and locate underground conflicts (utilities, vaults, conduit) or other underground obstructions and determine grate locations. The Contractor will be required to obtain the grate, matching frame and/or tree guard. Tree grate type and matching frame: Neenah 4x8 (R-8815-A). Tree guard Neenah (R-8501-4818). Add as a note on both the landscape and street tree plan set.

90. Tree grates are the property of the City of Madison. The Contractor shall contact City Forestry at (608) 266 4816 to schedule delivery of salvaged tree grates to City Forestry facility. Add as a note on the demolition and street tree plan set.

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

91. Metro Transit operates daily all-day transit service along University Avenue and West Johnson Street adjacent and 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 University Avenue and West Johnson Street near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays).

92. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 373 Weekday & 165 Weekend. Please contact Metro Transit if additional analysis would be of interest.

Assessor's Office (Contact Carlos D. Aguilar Velin, (608) 267-8791)

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

Certified Survey Map – Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

City Engineering Division (Contact Gretchen Aviles Pineiro, (608) 266-4089)

1. NOTE: Any development on this site will be required to accept and accommodate existing private drainage onto the site from the East.

2. Enter into a City / Developer agreement for the required infrastructure improvements. The agreement shall be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Please contact the City Engineering Division to schedule the development and approval of the plans and the agreement.

3. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.

4. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM, contact either Tim Troester (West) at (608) 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at (608) 261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

City Engineering Division – Mapping Section (Contact Julius Smith, (608) 264-9276)

5. There has been no title work provided showing who owns or has title to the remaining portion of Lot 4 of Block 39 of the Pritchette Plat of Madison the Capitol of Wisconsin (Original Plat of Madison) provide clear proof of title/ownership to include these lands with the CSM.

6. Show the Access Easements per Document no. 1693157, 507481 and 5680026 over portions of lots 6 and 5 of block 10 of University addition of Madison on the face of the CSM. Or if they are being released provide the recorded release for these documents prior to CSM sign off. All easements and agreements of record shall be shown on the CSM unless released.

7. 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 CSM. Note there are overhead lines present along the midblock line that may have existing rights. Coordinate with the utility companies serving this area to confirm any existing rights they may have.

8. Provide for review all support documents for the title work provided. no supporting documents were provided with title work and there may be additional comments when all items have been received as required in the Land Division application. Adverse possession documents No. 2068132, 2068133, 2068133, 2069707 2069708 2082151, 2082152 2082153 2664143 and 2667424 along with all of the other documents have not been provided an may have to be listed on the CSM as affecting this property.

9. 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 Jule Smith (JSmith4@cityofmadison.com) of City Engineering, Land Information.

10. 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.

11. 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.

12. On sheet 2 of 7 of the CSM the overall section line is shown as 2662.37 which is not equal to the sum of the two sub distances as shown 2247.34'+232.64' = 2479.98'. Show the assumed missing 182.39'

13. Show the "Recorded as" bearing for CSM 14091 along the Southeasterly line of the parcel. Show the "Recorded as" bearing of N 45? W from the Prittchette Plat of Madison for W Gilman Street.

14. 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.

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

This agency has reviewed the request and recommended no conditions of approval for the CSM. A TDM Plan is required for the conditional use request (see section above).

Parks Division (Contact Emma Krug, (608) 263-6850)

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

16. 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 Central Park-Infrastructure Impact Fee district. The Park Impact Fee ID# for this project is 25082. Visit https://www.cityofmadison.com/parks/about/impactFees.cfm for information about Park Impact Fee rates, calculations, and payment process.

Office of Real Estate Services (Heidi Radlinger, (608) 266-6558

17. Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate 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). The title of each certificate shall be consistent with the ownership interest 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.

    The City and 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.

18. Prior to CSM approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees shall be included following the Owner's Certificate.

19. If a mortgage or other financial instrument is reported in record title but has been satisfied or no longer encumbers the lands or ownership within the CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to CSM approval sign-off.

20. 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).

21. 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.

22. The lands within the CSM boundary are located within TID 50, 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 jgromacki@cityofmadison.com or Dan Rolfs at drolfs@cityofmadison.com.

23. As of the date of this letter real estate taxes are paid for the subject properties. Per 236.21(3) Wis. Stats. and 16.23(4)(f)(3) 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.

24. As of the date of this letter special assessments are reported on all parcels. 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).

    Pursuant to Madison City Ordinance Section 16.23(4)(c)(1), the owner shall furnish an updated title report to Real Estate via email to Heidi Radlinger 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 (6/4/2025) 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.

25. The owner shall email the document number of the recorded CSM to Heidi Radlinger when the recording information is available.

The following agencies reviewed the request and recommended no conditions of approval:

Planning Division, Traffic Engineering, Zoning, Fire Department, Water Utility, Assessor's Office