



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 3009 University Avenue and 3118 Harvey Street  
**Application Type:** Zoning Map Amendment, Conditional Use, and Certified Survey Map  
**Legistar File ID #** [54510](#), [54206](#), & [52914](#)  
**Prepared By:** Sydney Prusak, Planning Division  
Report Includes Comments from other City Agencies, as noted  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner, Planning Division

**Summary**

**Applicant & Property Owner:** Duke Dykstra; Shorewood House LLP; 3009 University Avenue; Madison, WI 53705

**Contact:** Michelle L. Burse; Burse Surveying and Engineering, Inc.; 2801 International Lane Suite 101, Madison, WI 53704

**Requested Actions:** There are multiple requests before the Plan Commission. The first request is to rezone a small portion of 3118 Harvey Street from CC-T (Commercial Corridor- Transitional) back to TR-U1 (Traditional Residential – Urban 1). The second request is for approval of a two-lot certified survey map to adjust the property lines between the subject properties. The remaining requests are for conditional uses. The first request will reapprove a conditional use for the existing Shorewood House mixed-use building. A conditional use was never established for this building and is currently considered a non-conforming property according to the Zoning Administrator. The second is to establish a conditional use for the existing accessory building exceeding 576-square-feet, which is also considered a non-conforming use. The garage is located in the portion of the property that will be rezoned back to TR-U1. The final conditional use request is for the establishment of a fire lane across the Harvey Street property leading to the Shorewood House property, as driveways crossing residential properties to commercial properties require a conditional use (at 3009 University Avenue).

**Proposal Summary:** The applicant’s requests relate to his desire to add a fire lane behind the Shorewood House at 3009 University Avenue and at the five-unit building at 3118 Harvey Street.

**Applicable Regulations & Standards:** This proposal is subject to the standards for Zoning Map Amendments [MGO Section 28.182(6)] and Conditional Uses [Section 28.183] and Land Divisions [16.23]. The proposal is also subject to the standards of Urban Design District 6 [33.24(13)].

**Review Required By:** Plan Commission (PC) and Common Council (CC). The Urban Design Commission Secretary administratively reviewed this request on behalf of the Urban Design Commission (UDC).

**Summary Recommendation:** The Planning Division recommends the Plan Commission forward Zoning Map Amendment 28.022-00368, rezoning a portion of the subject site from CC-T to TR-U1, to the Common Council with a recommendation of **approval**. The Planning Division also recommends the Plan Commission **approve** the two lot certified survey map for 3009 University Avenue and 3118 Harvey Street. Finally, the Planning Division recommends the Plan Commission **approve** the conditional use requests for the existing Shorewood House, accessory building, and site alterations at 3009 University Avenue and for the construction of a driveway across a residential property and proposed site alterations for 3118 Harvey Street. This recommendation is subject to the input at the public hearing and the comments from reviewing agencies.

## Background Information

**Parcel Location:** The subject properties include contiguous parcels at 3009 University Avenue and 3118 Harvey Street. Combined, these parcels have an area of approximately 1.3 acres. Properties front on the aforementioned streets and are midblock between Hill Street (to the west) and Schmitt Place (to the east). The properties are within Aldermanic District 5, Urban Design District 6, and are within the limits of the Madison Metropolitan School District.

**Existing Conditions and Land Use:** 3009 University Avenue includes the existing mixed-use Shorewood House. That 6-story development, constructed in 1966, includes approximately 3,000-square-feet of retail/office space and 56 dwelling units. The rear of that property is entirely impervious and now utilized for surface parking and contains a detached 1,000-square-foot garage, which serves the 3118 Harvey Street apartment building. Access to the site is currently limited to a covered drive accessed from University Avenue. 3118 Harvey Street, which is also owned by the owner of Shorewood House, includes an existing five-unit apartment building.

### **Surrounding Land Use and Zoning:**

North: Mixed-use shopping center in the Village of Shorewood Hills;

South: Small multi-family apartment buildings zoned TR-U1 (Traditional Residential-Urban 1) with Quarry Park, zoned CN (Conservancy), beyond;

East: Restaurant and surface parking lot zoned CC-T (Commercial Corridor Transition); and

West: Furniture store and office uses, zoned CC-T.

**Adopted Land Use Plan:** The [Comprehensive Plan \(2018\)](#) and [Hoyt Park Neighborhood Plan \(2014\)](#) recommend community mixed-use development along the University Avenue frontage and medium density residential development along Harvey Street.

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

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

**Zoning Summary:** 3009 University Avenue is zoned CC-T (Commercial Corridor Transitional) and 3118 Harvey Street is zoned TR-U1 (Traditional Residential-Urban 1). Driveways crossing residential properties to commercial properties require conditional use approval. This application would establish conditional uses on both properties and alterations require approval of a conditional use alteration.

**CC-T ZONING CRITERIA**  
**3009 University Avenue**

<b>Requirements</b>	<b>Required</b>	<b>Proposed</b>
Front Yard Setback	None	3.2' existing front yard
Side Yard Setback: Other cases	None unless needed for access	None existing side yard
Rear Yard Setback	The lesser of 20% of lot depth or 20'	Adequate existing rear yard
Usable Open Space	160 sq. ft. per lodging room or 1-bedroom unit; 320 sq. ft. for >1-bedroom units (10,880 sq. ft.)	Maintain existing amount of useable open space
Maximum Lot Coverage	85%	Maintain existing amount of lot coverage (24)
Maximum Building Height	5 stories/ 68'	6 story existing building

<b>Site Design</b>	<b>Required</b>	<b>Proposed</b>
Number Parking Stalls	No minimum required	63
Accessible Stalls	Yes	3
Loading	Not required	None
Number Bike Parking Stalls	Maintain existing number of bike stalls	50 (27)
Landscaping and Screening	Yes	Yes (28)(29)
Lighting	Not required	Existing lighting (30)
Building Forms	Not required	Existing building

**TR-U1 ZONING CRITERIA**  
**3118 Harvey Street**

<b>Requirements</b>	<b>Required</b>	<b>Proposed</b>
Lot Area (sq. ft.)	1,000/d.u. + 300 per bedroom >2 (5,000 sq. ft.)	16,392 sq. ft.
Lot Width	50'	109.69'
Front Yard Setback	15'	24.3' existing front yard
Max. Front Yard Setback	30 ft. or up to 20% greater than block average	24.3' existing front yard
Side Yard Setback	10'	15.0' existing side yard
Rear Yard Setback	Lesser of 25% lot depth or 20	35.9'
Usable Open Space	320 sq. ft./ d.u. (1,600 sq. ft.)	Adequate
Maximum Lot Coverage	75%	Less than 75% (25)
Maximum Building Height	3 stories/ 40'	2 story existing building

Site Design	Required	Proposed
Number Parking Stalls	Multi-family dwelling: 1 per dwelling (5)	Existing detached garage- 5 stalls
Accessible Stalls	Not required	None
Loading	Not required	None
Number Bike Parking Stalls	Maintain existing number of bike stalls	None
Landscaping and Screening	Yes	No (28)
Lighting	Not required	None (30)
Building Forms	Not required	Existing building

<b>Other Critical Zoning Items</b>	Urban Design (UDD #6), Utility Easements
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## Project History

In 2014 the Plan Commission and Common Council approved related requests. Under that proposal the applicant requested that the portion of the property containing the existing accessory building be rezoned to CC-T in order to square off the property lines and create two lots through a certified survey map (CSM). Additionally, the applicant proposed to demolish the accessory building serving 3118 Harvey Street.

The applicant also requested conditional use approval to construct carport accessory structures in the 3009 University Avenue (Shorewood House) parking lot, which were approved but were never constructed and their approvals have since expired. Furthermore, while the conditional use for the mixed-use building was approved at this time, it was never formally recorded through the final sign-off process, and therefore requires re-approval from the Plan Commission.

The applicant is before the Plan Commission with a similar request to the 2014 proposal. The applicant is requesting conditional use approval to construct the fire lane from Harvey Street, but no longer intends to demolish the existing accessory structure or build the aforementioned carports. Therefore, the applicant proposes to rezone the portion of the property that was rezoned to CC-T in 2014 back to TR-U1 and keep the existing accessory development to serve the 3118 Harvey Street apartment building. Along with this rezoning is a CSM request, which will divide the lots into their previous configuration, consistent with the proposed zoning districts.

## Project Description

The existing six-story development, constructed in 1966, includes approximately 3,000 square feet of retail/office space and 56 dwelling units. Fire access to that property is limited and the only existing vehicular access point is a covered driveway opening onto University Avenue. In order to provide the required fire access, the applicant purchased the adjacent property at 3118 Harvey Street. The proposed fire lane is depicted on the applicant's plans. The fire lane will have a fire gate with a Fire Department lock box and will remain closed unless the Fire Department needs access to the site. In order for the fire lane to be constructed, five trees will need to be removed.

In summary, the following items are before the Plan Commission:

- **Zoning Map Amendment.** The first request is to rezone about 2,590 square feet of property now at the rear of 3118 Harvey Street from the CC-T District back to the TR-U1 District, as it existed prior to the 2014 approval.

- **Certified Survey Map.** The second request is to adjust the rear lot line boundary between 3009 University Avenue and 3118 Harvey Street to reflect the updated zoning districts. Please note, the properties are under common ownership.
- **Conditional Use.** Approval of conditional use and conditional use alterations to:
  - 1) Add a fire lane across the 3118 Harvey Street property to provide required fire access to the “Shorewood House.” From a zoning standpoint this lane considered a “driveway.” However, this is not intended to provide non-emergency access to the Shorewood House site and will be gated as shown on submitted plans. Driveways crossing residential properties to commercial properties require conditional use approval.
  - 2) Formally establish the mixed-use Shorewood House development as a conditional use. According to MGO Section 28.067, buildings more than five-stories and 68 feet in height, as well as a mixed-use building with greater than 24 units, are both conditional uses in the CC-T Zoning District.
  - 3) Formally establish the existing 1,000-square-foot accessory building as a conditional use. Currently, there is a detached garage for the apartment building at 3118 Harvey Street. This accessory building is located in the portion of the property that will be rezoned to TR-U1, and any accessory building exceeding 576-square-feet is a conditional use in that Zoning District.

## Analysis and Conclusion

This proposal is subject to the standards for Zoning Map Amendments [M.G.O. Section 28.182(6)] and Conditional Uses [Section 28.183] and Land Divisions [16.23]. The proposal is also subject to the standards of Urban Design District 6 [33.24(13)].

### Conformance with Adopted Plans

The [Comprehensive Plan \(2018\)](#) and [Hoyt Park Neighborhood Plan \(2014\)](#) recommend Community Mixed-Use (CMU) development along the University Avenue frontage and Medium Residential (MR) development along Harvey Street. Staff believes the requests are consistent with these recommendations.

### Zoning Map Amendment Standards

Staff believes the applicable standards can be met. These standards state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended 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.”

### Conditional Use Standards

In regards to the approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City’s adopted plan recommendations, design guidelines, and finding that all of the conditional use standards of MGO §28.183(6) are met.

Staff believes the Conditional Use Standards can be found met. The addition of the fire lane across the Harvey Street property provides necessary fire access to the Shorewood House site. Furthermore, given that both the six-story Shorewood House mixed-use building and detached garage are both existing structures, staff does not believe that establishing these two structures as conditional uses will impede the normal and orderly development of surrounding properties.

### **Urban Design District 6**

The property along University Avenue falls within Urban Design District 6 and is therefore subject to Urban Design Commission (UDC) review. Given that no changes to the existing building are proposed, and all site changes are internal and related to the parking lot and fire lane, the Urban Design Commission Secretary administratively reviewed and approved this request on behalf of the UDC.

### **Land Division Standards**

Staff believes the applicable Land Division Standards can be met. This aspect of the request is a relatively simple adjustment of the rear lot lines to reflect the updated zoning districts. Conditions of approval on this aspect of the request are noted.

### **Public Input**

At the time of report writing, staff received comments from the Rocky Bluff Neighborhood Association. The neighborhood requested that the number of trees planted be increased from what is currently proposed. The Planning Division also received one public comment regarding construction noise. Both comments are attached.

### **Conclusion**

The applicant requests rezoning, conditional use, and land division approval. These requests will allow for the new parking lot and required fire lane. These requests will provide conditional use status to existing improvements and return the lot configuration and zoning to how they existed prior to 2014 approvals. As discussed in this report, the previous approvals were based on other side modifications that are not proposed by the applicant at this time. Staff believes the applicable approval standards can be found met.

## **Recommendation**

The Planning Division recommends that the Plan Commission forward zoning map amendment 28.022-0368, to rezone a portion of the subject site from CC-T to TR-U1, to the Common Council with a recommendation of **approval**. The Planning Division also recommends the Plan Commission **approve** the two lot certified survey map for 3009 University Avenue and 3118 Harvey Street. Finally, the Planning Division recommends the Plan Commission **approve** the conditional use requests for the existing Shorewood House and site alterations at 3009 University Avenue and for the construction of a driveway across a residential property, carports, and proposed site alterations for 3118 Harvey Street. This recommendation is subject to the input at the public hearing and the comments from reviewing agencies.

**Recommended Conditions of Approval**

Major/Non-Standard Conditions are Shaded

**Engineering Division** (Contact Tim Troester, 267-1995)

***Comments on the Rezoning and Conditional Use***

1. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR in order to comply with TMDL limits.
2. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required. (NOTIFICATION)
3. The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. (MGO 16.23(9)(d)(6)) This permit application is available on line at:  
<http://www.cityofmadison.com/engineering/permits.cfm>.

***Comments on the CSM***

4. All outstanding 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))
5. The lots within this certified survey map are inter-dependent upon one another for storm water runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the certified survey map and recorded at the Dane Co Register of Deeds. (POLICY)
6. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact either Tim Troester at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley at 608-261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to subdivision of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)

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

***Comments on the Rezoning and Conditional Use***

7. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing

conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.

8. 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.
9. 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.
10. All parking facility design shall conform to MGO standards, as set in section 10.08(6). It is recommended that the applicant alter the angle of the stalls to meet code.

**Engineering Division – Mapping Section** (Contact Jeffery Quamme, 266-4097)

***Comments on the Rezoning and Conditional Use***

11. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel- Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
12. The Fire Lane Easement per Document No 5106968 shall be amended to add the required area to the easement area and to acknowledge the new lots upon the recording of the pending Certified Survey Map. The amendment shall be recorded immediately after the Certified Survey Map and prior to final site plan sign off.
13. The Declaration of Storm Water Easement per Doc No 510696 shall be amended to acknowledge the new CSM Lots and shall be recorded immediately after the Certified Survey Map and prior to final site plan sign off.

***Comments on the CSM***

14. Add to Note A that the easement is subject to an Affidavit of Non-abandonment per Doc No. 5280302.
15. The CSM shall show all pavements within the boundary of the Certified Survey Map.
16. The Emergency Fire Lane Easement per Doc No 5106968 shall be amended to provide access all of the way to the proposed adjusted property line. The document shall be recorded immediately after the CSM and before final site plan sign off. Add a note to the CSM that Doc No. 5106968 will be amended by a separate recorded instrument.
17. The Declaration of Stormwater Management Easement per Doc No. 5106969 shall be amended to acknowledge the change in the boundary between the lots. The document shall be recorded immediately after the CSM and before



final site plan sign off. Add a note to the CSM that Doc No. 5106969 will be amended by a separate recorded instrument.

18. Add that this CSM is subject to Stormwater Management Agreements per Doc No.'s 5121528 and 5121529.
19. Remove the City Treasurer's Certificate. It is not necessary for Certified Survey Maps.
20. Change the name of the Secretary of the Plan Commission to Natalie Erdman.
21. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com ). If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office and shall be attached to a signed and sealed monument condition report. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. Note: Land tie to two PLS corners required.
22. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM must be submitted to Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the FINAL Plat or CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com

**Zoning** (Contact Jenny Kirchgatter, 266-4429)

***Comments on the Rezoning and Conditional Use***

23. Remove the existing driveway and curb cut east of the building at 3118 Harvey St. The driveway apron shall be removed and replaced with curb and gutter as per City of Madison Engineering and Traffic Engineering requirements. Disturbed areas shall be graded and seeded or sod planted to minimize erosion.
24. Provide a calculation and plan detail for lot coverage for 3009 University Ave. The lot coverage maximum is 85%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks. If the existing site currently exceeds 85% maximum lot coverage, proposed site improvements may not further increase lot coverage above the maximum.
  25. Provide a calculation and plan detail for lot coverage for 3118 Harvey St. The lot coverage maximum is 75%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.
  26. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Provide a minimum of three (3) accessible stalls at 3009 University Ave striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8 feet wide with an 8 foot wide striped access area adjacent.
  27. The relocated bike racks at 3009 University Ave shall comply with the Bicycle Parking Design and Location Section

28.141(11). Note the numbers of bicycle stalls and show the dimensions of the bicycle stalls and the access aisles on the proposed site plan. Note: A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5) foot wide access area.

28. The development sites at 3009 University Ave and 3118 Harvey St must be brought into compliance with the Landscaping and Screening Requirements of Section 28.142 because the area of site disturbance exceeds 10% of the entire development site. 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.
29. Screening is required adjacent the Zoning district boundary along the south property line of 3009 University Ave. Screening shall be provided alongside and rear property boundaries between commercial/ mixed-use districts and residential districts. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between six (6) and eight (8) feet in height. Submit a detail of the screening fence with the final plans. For conditional uses, the Plan Commission may modify these requirements.
30. Verify whether new parking lot or site lighting will be installed. New parking lot lighting must comply with City of Madison General Ordinances Section 10.085 outdoor lighting standards. If exterior site lighting is provided, submit an exterior lighting plan and fixture cut sheets with the final plan submittal.
31. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

**Fire Department** (Contact Bill Sullivan, 261-9658)

***Comments on the Rezoning and Conditional Use***

32. MFD supports the additional fire access to this building.

***Comments on the CSM***

33. The Emergency Fire Lane Easement will need to be extended through the portion of Lot 2 in order to serve Lot 1.

**Parks/Forestry Division** (Contact Brad Hoffman, 267-4908)

***Comments on the Rezoning and Conditional Use***

34. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.

35. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266- 4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan
36. City Forestry will issue a removal permit for one 6" diameter Japanese Tree Lilac due to driveway installation on Harvey Street. Please contact Brad Hofmann – [bhofmann@cityofmadison.com](mailto:bhofmann@cityofmadison.com) or 266-4816 to obtain the street tree removal permit.

**Office of Real Estate Services** (Contact Lane Vest, 245-5794)

***Comments on the CSM***

37. Signature block certifications shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary at the time of execution. The title of each certificate shall be consistent with the ownership interest reported in the most recent title report. The executed original hard stock recordable CSM shall be presented at the time of sign-off.
38. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to CSM approval sign-off.
39. 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.
40. City of Madison Plan Commission Certificate: There are two Plan Commission certificates in this CSM, please remove one. Modify the name of the Secretary of the Plan Commission as follows:

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

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Natalie Erdman, Secretary of the Plan Commission

41. As of 02/19/19, 2018 real estate taxes in the amount of \$85,304.56 are due for the subject property. Per 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording. This includes property tax bills for the prior year that are distributed at the beginning of the year. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off. Payment is made to:

City of Madison Treasurer  
210 Martin Luther King, Jr. Blvd.  
Madison, WI 53701

42. As of 02/19/19, there are no special assessments reported. All known special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.
43. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Lance Vest in City's Office of Real Estate Services ([lvest@cityofmadison.com](mailto:lvest@cityofmadison.com)), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (04/28/18) 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.
44. Depict, name, and identify by document number all existing easements cited in record title and the updated title report. In particular, depict or make reference to the easements contained in the Declarations of Conditions, Covenants and Restrictions for Maintenance of Stormwater Management Measures recorded as document Nos. 5121528 and 5121529.
45. Modify the reference to easement 5106969 in Note D on sheet 2. This should be Document No. 5106968.