



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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February 3, 2020

Elizabeth Adler  
Mandel Group, Inc.  
330 E. Kilbourn Ave, Ste. 600 S  
Milwaukee, WI 53202

RE: Approval of a request to rezone 5501 Mineral Point Road and 425-441 Charmany Drive from SE (Suburban Employment district) to TSS (Traditional Shopping Street district) and TE (Traditional Employment district) and approval of a preliminary plat and final plat creating six lots for multi-family, mixed-use, or commercial development, and one private outlet. [ID 63210 and 63441; LNSPP-2020-00008]

Ms. Adler;

At its February 2, 2021 meeting, the Common Council **approved** the zoning map amendment and preliminary and final plats for the *Element District* subject to the conditions of approval in the following sections, which shall be addressed prior to final approval and recording of a final plat of the subdivision.

**Please contact Jenny Kirchgatter of City Zoning at 266-4429 if you have any questions regarding the following one (1) item:**

1. Submit proposed Lots 5 and 6 for site plan review for the reconfigured sites.

**Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following twenty-two (22) items:**

2. This site will require a master drainage and stormwater management plans for the entire site even though it will be built in phases. This shall be submitted with the initial submittal.
3. 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)
4. Construct Madison Standard street, multi-use path, and sidewalk improvements for all streets within the plat/csm. (MGO 16.23(9)(d)6)
5. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat/csm. (MGO 16.23(9)(d))
6. 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))

7. 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.
8. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
9. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line: <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.
10. A Phase 1 environmental site assessment (per ASTM E1527-13), is required for lands dedicated to the City. Provide one (1) digital copy and staff review will determine if a Phase 2 ESA is also required. Submit report(s) to Brynn Bemis (608-267-1986, [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)).
11. The approval of this zoning approval does not include the approval of the changes to roadways, sidewalks or utilities. Obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. (MGO 16.23(9)(d)(6))
12. Submit a soil boring report that has been prepared by a Professional Engineer two weeks prior to recording the final plat to the City Engineering Division indicating the ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9' below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer. (MGO 16.23(9)(d)(2) and 16.23(7) (a)(13))
13. Provide the City Engineer with a survey indicating the grade of the existing sidewalk and street and hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. Building entrance grades must be approved by the City Engineer prior to signing off on this development. (POLICY)
14. Confirm that adequate sight distance exists where public streets intersect per AASHTO design standards for intersection sight distance. If adequate sight distance does not exist, change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make their mitigating improvements as required by the City. Caution - The improvements indicated may require rightof-way outside of the plat/csm.

15. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
16. Revise the site plans to show the location, depth, type, and size of existing and proposed private utilities (gas, electric, phone, steam, chilled water, etc.) in the project area or the adjacent right-of-way. (POLICY)
17. 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)
18. Include calculations in the stormwater management report that show how a 500-year storm event, as identified in Madison General Ordinance Chapter 37, would be handled by the proposed site design. These calculations are required to show that the proposed building does not flood during this design storm event using the site grades proposed.
19. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
20. 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](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto: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.
21. 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: Detain the 2, 10, 100 & 200 -year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.

Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.

TSS New Development: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

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

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

22. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
23. 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](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West).

**Please contact Jeff Quamme of the City Engineering Division—Mapping Section at 266-4097 if you have any questions regarding the following thirty-six (36) items:**

24. Show the entire watermain easement per Doc 3461981 and 5529586 including within the public right of way. City of Madison Real Estate Proj No 12233 has been set up for the partial release of the Watermain Easement per Doc No 3461981 lying within future Lot 2.
25. The portions of the Public Sanitary Sewer Easement per Doc No 2718052 shall be released within proposed Lot 3 and within the proposed Element Way right of way. (the remnant within Lot 6 and Outlot 1 shall remain in place and shall be fully dimensioned on the plat and terms and conditions added as part of the partial release) A temporary easement for the maintenance and repair of the main shall be retained until the new sewer reroute has been constructed and accepted by the City of Madison. Real Estate Proj No 12230 has been set up for the administration and recording of the release.
26. The portions of the 20' Wide Gas Main Easement per Doc No 1409797 (Easement No 1) or any other easements or rights existing within the proposed public street right of ways shall be released by Madison Gas and Electric or other respective Utility. Alternatively another recorded instrument providing a Conveyance of Rights to the City of Madison for the public improvements and utilities to be constructed within the public right of way may be considered.

27. The Storm Water Management Easement and Storm Sewer Easement per Doc No 3461981 (CSM 10343) shall be released by the City of Madison. Real Estate Project No. 12231 has been set up to administer and record the document.
28. Portions of the Public Utility Easements granted by University Research Park University of Wisconsin Madison Second Addition lying within proposed Lot 1 or any proposed public right of way shall be released by the Utilities serving these lands. Real Estate Project 12232 has been set up for the City of Madison to administer and record its release. All other utilities shall partially release the easement areas prior to the City of Madison's release.
29. Any portion(s) of a the easement for underground data cabling per Document No 3534002 shall be released within any new public right of way dedicated on this plat.
30. The 20' wide public utility easement conveyed in deeds recorded in Document No's 1397131 and 1397131 shall be released as they are within the public right of way of proposed Element Dr.
31. In accordance with Chapter 236, Wisconsin Statutes, the Applicant must show the type, location and width of any and all easements on a Plat. Clearly identify the difference between existing easements (cite recording data) and easements which are being conveyed by the land division. Identify the owner and/or benefiting interest of all easements. Include any and all language required to properly and legally create any easement by this land division.
32. Grant a Public Sanitary Sewer Easement(s) to the City on the face of this Subdivision Plat for the proposed rerouted sanitary sewer over the easterly side of proposed Lot 3. Contact Jeff Quamme for the required easement text to be placed on the plat.
33. The Stormwater Management Easement labels on Lot 3 and Lot 6 shall be modified to be Public Stormwater Management Easements. Contact Jeff Quamme for the required language to be placed on the plat. Applicant shall note that there is an existing Public Utility Easement that lies within the proposed Public Storm Water Management Easement. Therefore the stormwater management facilities shall be designed to avoid or minimize any required storm water management facilities within the Public Utility Easement.
34. Show and label the 15' Wide Permanent Limited Easement for Sidewalk Purposes along Charmany Drive per Doc No 3008952.
35. Grant a Permanent Limited Easement for Vision Triangles at intersections of Catalyst/Whitney, Element/Mineral Point and Endeavor/Whitney as required by City Engineer. This may include grading of the area as required by City Engineer to allow for safe vision triangle.
36. The Sanitary Sewer Easement per 1977935 has been released by Doc No 2733650. This shall be added to the title report or reference totally removed.
37. This plat requires the partial discontinuance and vacation of a 20' wide area of Mineral Point Road. The area to be vacated shall also include the 20' area within Lot 37 of UW Research Park Second Addition to the west of this plat, at least 1' behind the public sidewalk. Provide a map exhibit along with legal description prepared, signed and sealed by a Professional Surveyor of the right of way to

be discontinued and other required materials after first consulting with Engineering Mapping Staff. The materials will be circulated by Mapping staff to agencies within the City for comment and possible changes dependent on needs of the City. The vacation shall be in exchange for the required dedication along S Whitney Way for a future BRT station as determined by City Engineering and City Traffic Engineering. The discontinuance process being initiated shall be contingent upon comments and approvals by agencies.

Upon the above conditions being satisfied, Mapping staff will initiate the resolution process for the discontinuance under Chapter 66.1003(4) of the Wisconsin Statutes the vacation shall be conditioned upon the approval conditions of this Plat approval being met to a level of satisfaction as determined by the City Engineer before it can be made effective by recording at the Register of Deeds.

38. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final plat.
39. There are existing Electrical Transformer Boxes in the Northeast Corner of the proposed Element Way right of way where it intersects with Mineral Point Road. Applicant shall address the need to move these facilities to accommodate the proposed public street improvements to be constructed as part of this development.
40. Insert standard language pre MGO 16.23(9)(d)2.a. verbatim. When done, all of the previous non-exclusive easements for drainage easements are released and new drainage easements defined by the current proposed Plat.
41. The 15' wide Electric and Telephone Easement per Doc No 2718052 (plat of UWRP Second Addn) has been released by Doc No's 5412866, 5412868 & 5412869. Therefore it shall be removed from the preliminary and final plats.
42. Confirm that the Easement to MG&E per Doc No 3248979 does not encumber this plat.
43. The Reciprocal Access Easement Agreements per Doc No 3534002 and 4222424 shall be amended or released as appropriate for the private rights that are necessary. The recorded document(s) shall be provided and they shall confirm that no portion of either easement shall remain in force within any platted public right of way within this plat.
44. Add a note to Lot 6 that it is subject to a Declaration of Conditions, Covenants and Restrictions for Maintenance of Stormwater Measures per Document No. 4218374
45. The portion of the Gas Main and Underground Electric right of way to MG&E per Doc 4246395 within the area to be dedicated to the public for Element way shall be released. Provide the recorded document.
46. Show, label and dimension the Permanent Limited Easement for Public Sidewalk per Doc No 5518608 along the north side of Endeavor Lane.
47. A private Storm Sewer Easement is necessary per the preliminary plans over the Northwesterly corner of proposed Lot 1 for storm sewer serving the adjacent Lot to the west. The Private Drainage Easement

per Doc No 3225981 will need to be amended to acknowledge this storm sewer or released and a new document recorded. Additionally the private restrictions per notes 4 and 5 of CSM No. 10343 shall also be released by a recorded document.

48. The Private Drainage Easement per Doc No. 3225981 shall be amended or released
49. The No Vehicular Access to Mineral Point Road and S Whitney Way per CSM 10343 shall be shown on the preliminary and final plats. Provide to Jeff Quamme a map Exhibit and legal description of the two portions of the existing access restriction that will be released for the public right of ways of Element Dr and Catalyst Way. Once approved a Real Estate Project will be set up for the drafting, administration and recording of the release of the restriction at those locations.
50. A note shall be added under all of the street names labeled and to be dedicated on the plat, "Dedicated to the Public for street purposes" as required by 236.20(4)(b).
51. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com)
52. 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 Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
53. Conditions of approval noted herein are not intended to be construed as a review determining full compliance with City of Madison Ordinances and State of Wisconsin Statutes. The licensed professional preparing the land division is fully responsible for full compliance with all Ordinances and Statutes regulating this proposed land division.
54. The 12' wide Electric and Telephone Easement per Doc No 1409797 (Easement No. 2) has been released by Doc No's 5415053, 5412870 & 5412867. Therefore it shall be removed from the preliminary plat.
55. The final plat shall show the full width of all easements and shall be fully dimensioned to allow retracement within any lot or outlot on the final plat.
56. Show and label the portion of Lot 40 of the UWRP Second addition within this plat. Also show the existing lot lines dashed on the final plat.
57. Correct the Document No. for the 20' Wide Watermain Easement per 5418722 to 5529586.
58. The pending plat application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or early start permit.

59. Submit to Jeff Quamme, 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 shall be void of gaps and overlaps and match the final recorded plat:
- a) Right-of-Way lines (public and private)
  - b) Lot lines
  - c) Lot numbers
  - d) Lot/Plat dimensions
  - e) Street names
  - f) Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)

NOTE: This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data for any changes subsequent to any submittal.

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

60. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights & traffic signals prior to sign off.

**Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following one (1) item:**

61. The proposed property line between Parcel 1 & Parcel 2 would not permit connections between the proposed buildings and would limit the possible openings (doors and/or windows) along the property line.

**Please contact Jeff Belshaw of the Water Utility at 261-9835 if you have any questions regarding the following two (2) items:**

62. All water mains and services within the lot shall be considered private.
63. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.



**Please contact Tim Sobota of the Metro Transit at 261-4289 if you have any questions regarding the following four (4) items:**

64. In coordination with any public works improvements, the applicant shall maintain or replace the concrete boarding pad surface at the existing Metro bus stop on the west side of Whitney Way, south of Mineral Point Road (#2670).
65. The applicant shall install and maintain a new concrete shelter pad surface - as part of the private landscape plan - opposite the existing Metro bus stop zone that is on the west side of Whitney Way, south of Mineral Point Road (#2670). The applicant shall install and maintain a new passenger waiting shelter with seating amenity in this area, as part of the private landscape plan.
66. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.
67. Metro Transit operates daily all-day transit service along Whitney Way, adjacent this property. Bus stop ID #2670 is on the west side of Whitney Way, south of Mineral Point Road.

**Please contact Ann Freiwald of the Parks Division at 243-2848 if you have any questions regarding the following four (4) items:**

68. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the West Park-Infrastructure Impact Fee district. Please reference ID# 20046 when contacting Parks about this project.
69. The Applicant shall execute a declaration of conditions and covenants along with an impact fee schedule for the Park Impact Fees for this development. This document will be recorded at the Register of Deeds. The Applicant shall be responsible for all recording fees.
70. The following note should be included on the plat: "LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED."
71. The Parks Division shall be required to sign off on this plat.

**Please contact Wayne Buckley at 266-4892 if you have any questions regarding the following five (5) items:**

72. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. 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 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.
73. 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 (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 plan set.

74. 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 the plan set.
75. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. 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.
76. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on the plan set.

**Please contact Lance Vest of the Office of Real Estate Services at 245-5794 if you have any questions regarding the following fourteen (14) items:**

77. Prior to approval sign-off by the Office of Real Estate Services (“ORES”), all parties having an interest in the property, pursuant to Wis. Stats 236.21(2)(a), shall execute the Owner’s Certificate on the plat. Certificates shall be prepared with the ownership interests consistent with the most recent title report. Signatories shall provide documentation that proves legal authority to sign the Owner’s Certificate. When possible, the executed original hard stock recordable plat shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the plat containing electronic signatures shall be provided to ORES to obtain approval sign-off.
78. A certificate of consent for all mortgagees/vendors shall be included following the Owner’s Certificate(s) and executed prior to plat approval sign-off. If the plat is signed electronically, a PDF of the plat containing electronic signatures shall be provided to ORES to obtain approval sign-off. In particular, include certificates of consent for mortgages to First Business Bank and City of Madison.
79. A Consent of Lessee certificate shall be included on the plat for any tenancy in excess of one year, recorded or unrecorded, and executed by said tenant prior to agency plat approval sign-off.
80. All consents and certifications for any holder of interests in the subject lands shall conform with Wis. Stats. 236.21(2) and 236.29, i.e., to include the language “...surveyed, divided, mapped and dedicated....”.

81. As of January 22nd, 2021, the 2020 real estate taxes are due for the subject property. Under 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 Plat recording. This includes property tax bills for the prior year that are distributed at the beginning of the year. Receipts are to be provided on or before sign-off and checks are payable to:  
City of Madison Treasurer  
210 Martin Luther King, Jr. Blvd.  
Madison, WI 53701
82. As of January 22nd, 2021, there are no special assessments reported for the parcels within the plat boundary. Pursuant to Madison City Ordinance Section 16.23(5)(e)1 and Wis. Stats. 236.21(3), all special assessments, including accrued interest in the case of delinquencies, shall be paid by the owner prior to plat approval sign off. Receipts for payment shall be provided to ORES in advance of plat approval sign-off.
83. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to ORES via email to Lance Vest (lvest@cityofmadison.com), as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (08/07/20) and the date when sign-off approval is requested. A title commitment may be provided, but will only be considered as supplementary information to the title report update. The surveyor shall update the plat with the most recent information available in the title report update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the plat.
84. Depict, name, and identify by document number on the proposed plat all existing easements cited in record title. In particular, please depict the easements recorded as Doc. Nos. 1977935, 3008952, 3248979, 4222424, 5518608, 5529586.
85. Include a reference to the Declaration of Conditions, Covenants and Restrictions for Maintenance of Stormwater Management Measures, recorded as Doc. No. 4218374, if applicable.
86. Include a reference to the Amendment to Declaration of Covenants, Conditions and Restrictions for the Plat of University Research Park Second Addition, recorded as Doc. No. 5057434, if applicable.
87. Include a reference to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for CSM No. 10343, recorded as Doc. No. 5389302, if applicable.
88. Depict the Access Restrictions to Mineral Point Road and South Whitney Way per CSM No. 10343, recorded as Doc. No. 5389302.
89. Depict and dimension all existing improvements including, but not limited to: buildings, drives, parking lots, encroachments, wells, septic systems, etc. associated with the lands described for the proposed plat.
90. Record satisfactions or releases for all recorded instruments that encumber or benefit the subject lands, if all interested parties agree that the purpose for such instrument is no longer necessary or relevant for the purposes of the land division.

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

**Please now follow the procedures listed below for obtaining permits for your project:**

1. Please revise your plans per the above conditions and **one (1) complete digital plan set in PDF format** of complete, fully dimensioned, and to-scale plans; the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code; and any other documentation requested herein to the Zoning Administrator at [zoning@cityofmadison.com](mailto:zoning@cityofmadison.com). (Note that that an individual email cannot exceed 20MB and it is the responsibility of the applicant to present files in a manner that can be accepted. Please email [zoning@cityofmadison.com](mailto:zoning@cityofmadison.com) regarding questions or if you need alternative filing options) The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval. Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator.
3. This approval shall become null and void one (1) year after the date of the Common Council approval if a copy of the plans, zoning ordinance amendment, and related documents have not been recorded with the Dane County Register of Deeds office. Where the plans have not been altered from the Common Council's approval, the Director of Planning and Community and Economic Development may approve an extension for up to 24 months from the expiration date
4. Any appeal regarding the plat, including the conditions of approval related thereto, must be filed with the Circuit Court within thirty (30) days from the date of this letter.

If you have any questions regarding obtaining your final approval or building permits, please contact the Zoning Administrator at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 243-0455.

Sincerely,



Colin Punt  
 Planner

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

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Signature of Property Owner (if not the applicant)*

- cc: Jenny Kirchgatter, Zoning Administrator  
 Tim Troester, City Engineering Division  
 Jeff Quamme, City Engineering Division – Mapping Section  
 Ann Freiwald, Parks Division  
 Sean Malloy, Traffic Engineering Division  
 Bill Sullivan, Madison Fire Department  
 Heidi Radlinger, Office of Real Estate Services  
 Tim Sobota, Metro Transit  
 Wayne Buckley, Forestry Section

<b>LNDSP-2020-00008</b>			
<b>For Official Use Only, Re: Final Plan Routing</b>			
<input checked="" type="checkbox"/>	Planning Div. (Punt)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Water Utility
<input checked="" type="checkbox"/>	Metro Transit	<input checked="" type="checkbox"/>	Other: Forestry