



**Project Addresses:** 501 N Whitney Way

**Application Type:** Zoning Map Amendment, Conditional Uses, and Certified Survey Map Referral

**Legistar File ID #** [90539](#), [90391](#), and [90394](#)

**Prepared By:** Timothy M. Parks, Planning Division  
Report includes comments from other City agencies, as noted

**Reviewed By:** Kevin Firchow, Planning Division

## Summary

**Applicant & Property Owner:** Adam Coyle, Eight & Eight Partnership; 2317 S Stoughton Road; Madison.

**Contact Person:** Kevin Burow, Knothe & Bruce Architects; 8401 Greenway Boulevard, Suite 900; Middleton.

**Surveyor:** Kevin Pape, Vierbicher & Associates; 999 Fourier Drive, Suite 201; Madison.

### Requested Actions:

- ID [90539](#) – Consideration of a request to rezone 501 N Whitney Way from Neighborhood-Mixed-Use District) to TSS (Traditional Shopping Street District);
- ID [90391](#) – Consideration of a conditional use in the [Proposed] Traditional Shopping Street (TSS) District and Transit-Oriented Development (TOD) Overlay District for a multi-family dwelling with greater than 36 units; and consideration of a conditional use in the TSS District for a building taller than four stories and 60 feet in the TOD zoning overlay, all to allow construction of a five-story, 42-unit multi-family dwelling; and
- ID [90394](#) – Approval of a Certified Survey Map (CSM) to create one lot for the proposed residential development.

**Proposal Summary:** The applicant is seeking approvals to construct a five-story, 42-unit multi-family dwelling at the northeastern corner of N Whitney Way and Sheboygan Avenue following demolition of a three-story, 15-unit multi-family dwelling. The underlying lots comprising the subject site will be combined into one lot by CSM. The letter of intent indicates that construction will commence in spring 2026, with completion anticipated in spring 2027.

**Applicable Regulations & Standards:** Section 28.182 of the Zoning Code provides the process for zoning map amendments. Table D-2 in Section 28.061(1) identifies a multi-family dwelling with greater than 36 units as a conditional use in the proposed TSS (Traditional Shopping Street) zoning district. Buildings taller than four stories and 60 feet may be allowed in TSS zoning in the Transit-Oriented Development (TOD) zoning overlay with conditional use approval. Section 28.183 provides the process and standards for the approval of conditional use permits. The subdivision process is outlined in Section 16.23(4)(f) of the Subdivision Regulations.

**Review Required By:** Plan Commission and Common Council.

**Summary Recommendation:** The Planning Division recommends the following to the Plan Commission:

That the Plan Commission forward Zoning Map Amendment ID 28.022–00734, rezoning 501 N Whitney Way from NMX to TSS, to the Common Council with a recommendation of **approval**;

That the Plan Commission find the standards for conditional uses are met to **approve** a five-story, 42-unit multi-family dwelling, subject to input at the public hearing and the conditions from reviewing agencies beginning on **page 8**; and

That the Plan Commission forward the Certified Survey Map to combine 501 N Whitney Way into one lot to the Common Council with a recommendation of **approval** subject to the conditions from reviewing agencies beginning on **page 14**.

**Background Information**

**Parcel Location:** A 21,255 square-foot (0.48-acres) parcel located at the northeastern corner of N Whitney Way and Sheboygan Avenue; Alder District 11 (Tishler); Madison Metropolitan School District.

**Existing Conditions and Land Use:** The eastern half of the subject site is developed with a three-story, 15-unit apartment building, with a surface parking lot located on the western half adjacent to N Whitney Way. The site is zoned NMX (Neighborhood Mixed-Use District).

**Surrounding Land Uses and Zoning:**

North: Five-story, 40 unit apartment building (“The Maxwell”) under construction at the southeastern corner of N Whitney Way and Old Middleton Road, zoned TSS (Traditional Shopping Street District); existing two-story apartment buildings along the south side of Old Middleton Road, zoned SR-V2 (Suburban Residential–Varied 2 District);

South: Monticello Apartments across Sheboygan Avenue, zoned PD;

West: Across N Whitney Way, the Whitney Reserve mixed-use building, zoned NMX, and single-family residences, zoned SR-C2 (Suburban Residential–Consistent 2 District); and

East: Two-story apartment building and Chapel Hill Apartments on the north side of Sheboygan, zoned SR-V2.

**Adopted Land Use Plans:** The 2024 [West Area Plan](#) recommends the subject site and neighboring parcel to the north for Community Mixed-Use (CMU), while the rest of the block bounded by N Whitney Way, Old Middleton Road, N Eau Claire Avenue, and Sheboygan Avenue is recommended for High Residential (HR). Properties to the west of the site across Whitney are recommended for Neighborhood Mixed-Use (NMU) from Old Middleton to Wynnewood Way, with Low Residential (LR) recommended further south and west. The Monticello Apartments across Sheboygan Avenue are recommended for Medium Residential (MR).

**Zoning Summary:** The subject site will be zoned TSS (Traditional Shopping Street District), which will be reviewed in the following sections.

| Requirements               | Required                     | Proposed                    |
|----------------------------|------------------------------|-----------------------------|
| Lot Area                   | 350 sq. ft. (14,700 sq. ft.) | 21,241 sq. ft.              |
| Minimum Front Yard Setback | 0-5’                         | 9’ from Sheboygan Avenue    |
| Maximum Front Yard Setback | 20’ per TOD Overlay          |                             |
| Side Yard Setback          | 0’ (West)   10’ (East)       | 11 ft (West)   10.6’ (East) |
| Rear Yard                  | 20’                          | 25’                         |
| Maximum Lot Coverage       | 85%                          | 78%                         |
| Minimum Building Height    | 2 stories per TOD Overlay    | 5 stories/ 65.5’            |

| Requirements                                                 |                                                                                                                            | Required                                                                                                 | Proposed                   |
|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|----------------------------|
| Maximum Building Height                                      |                                                                                                                            | 4 stories/60’ per TOD Overlay                                                                            |                            |
| Auto Parking                                                 |                                                                                                                            | None per TOD Overlay                                                                                     | 46                         |
| Electric Vehicle (EV) Stalls                                 |                                                                                                                            | EV Ready: 5 stalls                                                                                       | 5 EV Ready, 1 EV Installed |
| Accessible Stalls                                            |                                                                                                                            | 1                                                                                                        | 1                          |
| Bike Parking                                                 |                                                                                                                            | 1 per unit up to 2-bedrooms, half-space per add. bedroom (42); 1 guest space per 10 units (4) (46 total) | 46                         |
| Loading                                                      |                                                                                                                            | None                                                                                                     | 0                          |
| Building Forms                                               |                                                                                                                            | Large Multi-Family Building                                                                              | Will comply                |
| Other Critical Zoning Items                                  |                                                                                                                            |                                                                                                          |                            |
| Yes:                                                         | Transit-Oriented Development Overlay, Utility Easements                                                                    |                                                                                                          |                            |
| No:                                                          | Barrier Free, Urban Design, Waterfront Development, Wetlands, Floodplain, Adjacent to Park, Landmarks, Wellhead Protection |                                                                                                          |                            |
| Prepared by: Jacob Moskowitz, Assistant Zoning Administrator |                                                                                                                            |                                                                                                          |                            |

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

**Public Utilities and Services:** The site is currently served by a full range of urban services, including Metro Transit, which operates seven-day service along Old Middleton Road (Route R). Additionally, the subject site is located half a block from east-west Bus Rapid Transit (BRT) Route A, which operates along Sheboygan Avenue and N Whitney Way south of Sheboygan; the nearest BRT stop is located at N Eau Claire Avenue and Sheboygan. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 184 Weekday and 113 Weekend. Please contact Metro Transit if additional analysis would be of interest.

## Project Description

The applicant is requesting to rezone a 0.48-acre parcel addressed as 501 N Whitney Way at the northeastern corner of N Whitney Way and Sheboygan Avenue from NMX to TSS and approval of conditional uses to facilitate redevelopment of the property with a five-story, 42-unit multi-family dwelling. Additionally, a Certified Survey Map (CSM) is proposed to combine the underlying lots comprising the subject parcel into one lot. The proposed building will replace the existing two-story, 15-unit "Whitney on the Hill" apartments.

The building to be demolished occupies the eastern half of the site, with a surface parking lot located on the western half of the property, which is accessed from N Whitney Way. The subject site is characterized by approximately 20 to 25 feet of grade change from the eastern property line to the west and northwest, with an approximately five-foot retaining wall along the eastern property line and a second retaining wall of varying height adjacent to the Sheboygan Avenue sidewalk, above which the building sits. The existing building is principally a two-story building but has an exposed lower level along its western façade. The site steps down further along the western wall of the building, with a retaining wall that terraces the grade of the site down to the surface parking lot, a portion of which sits below the grade of the public sidewalk at the Whitney-Sheboygan intersection.

The proposed multi-family dwelling will be constructed into the grade of the site. The front yard of the building will parallel Sheboygan Avenue, with a 5.6-foot setback proposed at the southeastern corner, which increases to

11.4 feet at the southwestern corner. The building will be set back 11.4 feet from the western property line adjacent to N Whitney Way, with a rear yard setback along the northern property line that will exceed 20 feet. A 10.6-foot side yard setback is proposed along the eastern property line adjacent to a neighboring two-story apartment building located at 5022 Sheboygan Avenue in SR-V2 zoning.

The 42 units proposed will include eight studio units, 25 one-bedroom units, and nine two-bedroom units. Parking for 46 automobiles and 42 bicycles will be provided within the building, including one level of parking to be located below the footprint of the building. A partial second level of parking will occupy the eastern half of the first residential floor. Both parking levels will be accessed from a driveway from N Whitney Way that will extend along the northern, rear wall of the building. The lobby of the building will be located along Sheboygan Avenue. A roof deck and common room will be located at the northwestern corner of the fifth floor; a second roof deck will be located at the northeastern corner of the second floor above a portion of the upper parking level.

The proposed building will stand approximately 65.5 feet in height as measured at the northwestern corner and will be topped by a flat roof. The building will incorporate stepbacks of varying depths above most of the fourth floor. The exterior will be comprised of a combination of light-colored brick at the base of the building and first floor and three types of composite siding that will vary by color, size, and orientation.

## Analysis

The applicant is requesting approval of a zoning map amendment to rezone the 0.48-acre parcel from NMX to TSS and approval of conditional uses to facilitate redevelopment of the site with a five-story, 42-unit multi-family dwelling.

### Consistency with Adopted Plans

The existing NMX zoning of the site and proposed TSS zoning district have similar bulk requirements for multi-family dwellings, including allowing buildings up to four stories and 60 feet in height when located in the Transit-Oriented Development (TOD) zoning overlay (in which the subject site is located). However, the maximum number of dwelling units allowed in a multi-family dwelling in NMX zoning is 36, whereas the TSS district has no such limit on units in a multi-family dwelling, hence the applicant's request to rezone the property.

Likewise, the statements of purpose for the NMX and TSS districts are similar. The statement of purpose for the NMX zoning district notes that it is established to encourage and sustain the viability of commercial nodes that serve the shopping needs of residents in adjacent neighborhood, while the TSS zoning district is intended to encourage and sustain the viability of Madison's mixed-use corridors, which sustain many of the City's traditional neighborhoods. Both zoning districts are intended to encourage pedestrian, bicycle and transit use as a means of accessing the districts and encourage diversification of uses, including residential, commercial, and civic uses, in order to enhance the vitality and appeal of the mixed-use and commercial areas, and to facilitate preservation, development, or redevelopment consistent with the adopted goals, objectives, policies, and recommendations of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans. The statement of purpose for TSS notes that appropriate transitions between higher-intensity uses within TSS districts and adjacent lower-density residential districts are also encouraged in that district.

In order to approve the zoning map amendment, the Common Council shall find that the zoning map amendment is *consistent with* the City's Comprehensive Plan as required by Section 66.1001(3) of Wisconsin Statutes. "Consistent with" is defined as "furthers or does not contradict the objectives, goals and policies contained in the

comprehensive plan.” The Comprehensive Plan notes that sub-area plans (neighborhood, area, etc.) are adopted as “a supplement to the Comprehensive Plan” to reflect their function and status in providing more detailed planning recommendations than are often needed to effectively implement the Comprehensive Plan. The Comprehensive Plan provides a long-term, broad, generalized policy framework for land use, growth, and large-scale investment priorities for the City, while sub-area plans provide more detailed recommendations for a specific geographic area.

The 2024 West Area Plan recommends the subject site and the adjacent parcel to the north for Community Mixed-Use (CMU). The rest of the block bounded by N Whitney Way, Old Middleton Road, N Eau Claire Avenue, and Sheboygan Avenue is recommended for High Residential (HR).

The CMU category in the area plan follows the definition included in the Comprehensive Plan. In general, CMU is recommended for existing and planned areas that can support an intensive mix of medium- to high-density residential, commercial, employment, and civic uses serving residents and visitors from the surrounding area and the community as a whole. CMU areas are generally located at major intersections and along relatively high-capacity transit corridors, often extending several blocks. CMU areas can generally accommodate significant development with a variety of housing options and commercial uses that attract a wide customer base. Subject to adopted detailed plans for the area, CMU areas are intended to include buildings two to six stories tall and densities up to 130 dwelling units per acre. Many of the City’s aging, auto-oriented strip commercial centers are recommended for CMU redevelopment due to their accessible locations along major transportation corridors and the opportunities to significantly increase integrated housing and commercial development. Development and design within CMU areas should create a walkable node or corridor, ideally adjacent to existing or planned transit, and should be transit oriented. Buildings should screen surface parking from the street, and intensive development in the CMU district may require structured parking. CMU areas should be well connected with surrounding neighborhoods and have buildings placed close to the sidewalk.

In addition to the land use designation in the West Area Plan, the Comprehensive Plan as amended through 2024 generally identifies the N Whitney Way-Old Middleton Road-University Avenue intersections as a transitioning neighborhood activity center. Within the hierarchy of activity centers in the Growth Framework in the plan, neighborhood activity centers tend to draw primarily from surrounding neighborhoods, may have less transit access, and are sometimes located along less busy streets or sections of streets than more intense community and regional activity centers. Transitioning centers generally include established and sometimes underutilized commercial and employment parcels that are recommended to transition into more vibrant, mixed-use areas with a mix of uses, including a variety of residential development and the public infrastructure to support it.

The Planning Division believes that the request to rezone the site from NMX to TSS and the development of a five-story, 42-unit multi-family dwelling are consistent with the recommendations for the site in the West Area Plan and Comprehensive Plan. While the genesis of the rezoning request is to allow the proposed building to overcome the 36-unit limit for purely residential buildings in NMX zoning, staff feels that the request is appropriate and will facilitate the implementation of the plan recommendations for the site.

#### Consideration of the 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.

Conditional use standards 1–6, 8, and 11 are applicable to this request.

Planning staff believes that the Plan Commission may find that the proposed 42-unit multi-family dwelling can meet standards for approval 1-6. 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 by the construction of the proposed multi-family dwelling, nor shall it impede the normal and orderly development and improvement of the surrounding property for uses permitted. No comments have been received from reviewing agencies that would suggest that the City is unable to provide services to the property, or that the utilities, access roads, drainage, internal circulation improvements and other site improvements proposed with the conditional use project are inadequate.

By-right building heights of four stories and 60 feet are permitted in TSS zoning in the TOD zoning overlay, with additional height allowed with conditional use approval. In order to be approved as submitted, the Plan Commission shall specifically grant a conditional use for the proposed five-story height of the building after considering whether conditional use standard 11 is met. Standard 11 states:

*When applying the above standards to an application for height in excess of that allowed in the district, the Plan Commission shall consider recommendations in adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows and view; architectural quality and amenities; the relationship of the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits.*

The proposed five-story building will stand approximately 65.5 feet at its tallest point, with less height and mass proposed where the building will be set into the grade of the site. The proposed height is consistent with the up to six-story height generally recommended in the Community Mixed-Use land use category by the West Area Plan.

However, Planning staff feels that consideration should be given by the Plan Commission to the relationship of the proposed building to N Whitney Way and the impact of the proposed building on surrounding properties, particularly along the northern property line. At the northwestern corner of the building, ten feet of basement wall will be exposed, which decreases modestly as the building proceeds south towards the Sheboygan Avenue intersection. Along the northern wall, the exposed basement wall includes the overhead door providing access to the full level of under-building parking as well as a louver for ventilation. Staff recommends that the applicant work with Planning staff to study other treatments along the northern and western facades that would soften the appearance of that portion of the building, which might include bringing some of the architectural treatments from the middle three floors down to the first floor level to make that portion of the building appear less massive. Additionally, staff recommends that the height of the fifth floor be reduced slightly or otherwise modulated to improve the proportion of that floor in relation to the floors below.

Staff will note for the Plan Commission's information that the proposed development **does not** require a conditional use for a height transition exceeding the height and/or ratio limitation for a building in a mixed-use or commercial zoning district abutting a residential zoning district.

On October 7, 2025, the Common Council adopted Ordinance 25-00067 (ID [89917](#)) to amend various sections of Chapter 28 to update the step down rules for larger buildings when adjacent to a residential district. This code change modified the required rear or side yard height transitions in Employment, Mixed-Use and Commercial Districts adjacent to Residential Districts. The Zoning Code previously required upper stories to be stepped back at a 45-degree angle starting from a point two stories and 25 feet above grade at the side and/or rear setback line to create a buffer, or more gradual transition from a zoning district with lower heights to one with higher heights. However, height limits in adjacent residential districts vary from 35 feet in lower-intensity residential zoning districts to 68 feet in the highest intensity residential zoning districts. The adopted text amendment synchronized the height transition requirements with the maximum height in feet allowed for a permitted use on the adjacent residentially zoned property to better align the height of required step downs with the maximum allowed building height in the adjacent residential district. Transitions exceeding this height and/or ratio limitation still require conditional use approval.

Zoning staff have determined that the allowed height in the adjacent SR-V2 (Suburban Residential–Varied 2 District) zoning district and TOD overlay is 52 feet (the allowed height for a multi-family dwelling in SR-V2/TOD zoning) and that the height of 56 feet proposed along the eastern façade of the multi-family dwelling meets the transition required between the proposed TSS zoning of the subject site and adjacent residentially zoned parcel. Prior to the recent ordinance change, a conditional use for a side yard transition not meeting the two-story, 25-foot requirement would have been required for this project.

#### 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.

## **Conclusion**

The applicant is requesting approval of a zoning map amendment to rezone the 0.48-acre parcel from NMX to TSS and conditional use approvals to facilitate redevelopment of the site with a five-story, 42-unit multi-family dwelling following demolition of an existing three-story, 15-unit multi-family dwelling. The rezoning of the property is required because the existing NMX zoning does not allow more than 36 units in a multi-family dwelling.

The Planning Division believes that the Plan Commission may find that the proposed development meets the various standards for approval. The proposed rezoning will implement the Community Mixed-Use recommendations for the site in the West Area Plan. The proposed development can also meet the standards for conditional use approval, including standard 11 to allow the building to exceed the four-story permitted height limit in TSS zoning and the TOD zoning overlay. However, in recommending approval of the conditional uses for the additional height, Planning staff recommends that the architectural treatment of the northern and western facades be revised to be less massive along N Whitney Way and for the height of the fifth floor to be slightly reduced or otherwise modulated to improve the proportionality of the top of the building.

## Recommendation

### Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

The Planning Division recommends the following to the Plan Commission:

That the Plan Commission forward Zoning Map Amendment ID 28.022-00734, rezoning 501 N Whitney Way from NMX to TSS, to the Common Council with a recommendation of **approval**;

That the Plan Commission find the standards for conditional uses are met to **approve** a five-story, 42-unit multi-family dwelling, subject to input at the public hearing and the conditions from reviewing agencies that follow; and

That the Plan Commission forward the Certified Survey Map to create one lot at 501 N Whitney Way for the proposed development to the Common Council with a recommendation of **approval** subject to the conditions from reviewing agencies beginning on **page 14**.

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

#### Planning Division

1. That the applicant work with Planning staff to study other façade treatments along the northern and western walls that would soften the appearance and reduce the massiveness of the building, particularly along N Whitney Way. Solutions may include but are not limited to bringing some of the architectural treatments from the middle three floors down of the building to the first floor level to make that portion of the building appear less imposing.
2. That the applicant work with Planning staff to reduce or modulate the height of the fifth floor facade to improve the proportion of that floor in relation to the floors below.
3. Revise Sheet CA 101 to remove the setback lines; dimension the actual setbacks from the adjacent property lines.
4. Dimension the height of the proposed building on each elevation to the roof cornice above the fifth floor.

### City Engineering Division (Contact Kathleen Kane, (608) 266-4098)

5. This site accepts stormwater from other private property to the east, which shall be maintained.
6. The developer shall 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.
7. Reconstruct sidewalk, terrace, curb, gutter, and pavement along N Whitney Way and Sheboygan Avenue to a plan approved by City Engineer.
8. 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 ((608) 261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.



9. Provide the City Engineer with the proposed earth retention system plan. The earth retention system plan must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system
10. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development.
11. An Erosion Control Permit is required for this project.
12. A Storm Water Management Report and Storm Water Management Permit is required for this project.
13. A Storm Water Maintenance Agreement (SWMA) is required for this project.
14. This site appears to disturb less than one (1) acre of land. No submittal to the Wisconsin Department of Natural Resources (WDNR), Capital Area Regional Planning Commission (CARPC), or Department of Safety and Professional Services (DPS) is required as the City of Madison Building Inspection Division is an approved agent for DPS.
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.
16. This project will disturb 4,000 square feet or more of land area and requires an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) 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.
17. Demonstrate compliance with MGO Sections 37.07 and 37.08 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.
18. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Storm Water Management Plan & Report shall include compliance with the following:

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

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.

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 half inch of rainfall over the total site impervious area. If additional stormwater

controls are necessary beyond the first half inch of rainfall, either green or non-green infrastructure may be used.

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

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

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

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

**City Engineering Division – Mapping Section** (Contact Jeffrey Quamme, (608) 266-4097)

20. The six-foot wide underground telephone easement per Document No. 998794 shall be released to remove conflict with the proposed building.
21. Although not in conflict with the proposed building, it is advised that the 10-foot wide utility easement within this site be released to clear title for the site. Coordinate the City of Madison release with Jeff Quamme to set up the required Real Estate project. The releases by the other utilities serving the area would be the responsibility of the applicant/ owner/ developer.
22. The encroaching retaining wall per the easement agreement per Document No. 6002699 is being removed and a new retaining wall is being constructed within this property satisfying the terms of the consent to encroachment.
23. The address of the proposed multi-family dwelling is 5044 Sheboygan Avenue. 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.
24. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds, 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 an early start permit.
25. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko ([lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com)) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for multi-family dwellings indicating the number of apartments on each floor. 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. Per Section 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 William Putnam, (608) 266-6528)

26. The Traffic Engineering Division recommends a driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
27. 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 as No Parking Anytime."
28. The applicant shall submit for review a waste removal plan for approval by the City Traffic Engineer, which shall include vehicular turning movements.
29. 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.
30. 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.
31. 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.
32. All parking facility designs shall conform to the standards in MGO Section 10.08(6).
33. 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.
34. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan. The terrace shall be restored and seeded with grass.
35. The applicant shall provide a clearly defined five-foot walkway 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.
36. 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, ((608) 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 Division office with final plans for sign-off.

37. The applicant shall adhere to all vision triangle requirements as set in MGO Section 27.05 (no visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO Section 27.05(2)(bb), Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
38. Note: The applicant is encouraged to provide 120-volt power at bike parking stalls for residents' e-bikes.
39. All bicycle parking adjacent pedestrian walkways shall have a two (2)-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
40. All parking ramps as the approach the public right of way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the right of way. If the applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
41. "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.

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

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

**Zoning Administrator** (Contact Jacob Moskowitz, (608) 266-4560)

43. Provide electric vehicle ready stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 10% of the parking stalls (5) must be electric vehicle ready. Identify the locations of the electric vehicle ready stalls on the plans.
44. 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 10,000 square feet in size must be prepared by a registered landscape architect.
45. Provide details demonstrating compliance with the bird-safe glass requirements in Section 28.129. For building façades where the first 60 feet from grade are comprised of greater than or equal to 50% glass, at least 85% of the glass must be treated. Of all glass areas over 50 square feet, any glass within 15 feet of a building corner must be treated. Identify which glass areas are 50 square feet or greater and which glass areas will be treated. Provide a detail of the specific treatment product that will be used.

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

46. Based on the proposed building layout, the Fire Department would anticipate that the address would be off of Sheboygan Avenue not N Whitney Way.

**Parks Division** (Contact Izzy Wilde, (608) 261-9671)

47. 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. The Park Impact Fee ID# for this project is 25079.

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

48. 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 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 & 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.
49. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

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

50. 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.
51. 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.
52. City Forestry will issue a street tree removal permit for two two-inch diameter trees at City Forestry's request due to small size and replacements will be spaced at improved spacing along Sheboygan Avenue. 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.

53. 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*. 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.

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

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

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

**City Engineering Division** (Contact Kathleen Kane, (608) 266-4098)

1. The developer shall 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.
2. 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.
3. 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 Jeffrey Quamme, (608) 266-4097)

4. Add text to the underground telephone easement per Document No. 998794 that it is: "To be Released by Separate Recorded Instrument." Also differentiate by line types the east line of the easement from the existing lot line along the west line of the easement.
5. Add a note: "Lands within this CSM are subject to Covenants, Conditions, Restrictions and Easements per Document Nos. 980230, 984386 and Certification per Document No. 996748."
6. Add a note that this CSM is subject to and benefits from the Temporary Airspace Easement and Consent to Encroachment per Document No. 600699.
7. 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](mailto:jrquamme@cityofmadison.com)).

8. Prior to Engineering final sign-off by main office for Certified Survey Maps, the final CSM shall be submitted in PDF format 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.
9. Add "recorded as" information for the chord of curve C2, the east line of the CSM and for the distance of the 27.46' long northeasterly line.
10. Correct the width of Sheboygan Avenue to 80 feet.
11. Add the missing course for the exterior boundary of the CSM to the parcel map on sheet 2.
12. Note the buildings to be demolished on sheet 3.
13. Per the tangent bearing provided, Curve C2 is not tangent with the curve to the north for CSM 16631. Provide justification for this discrepancy.
14. This pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds, 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 an early start permit.
15. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject CSM, 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 CSM: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).

\*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any submittal.

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

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

**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).

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

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

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

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

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

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

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

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

**Parks Division** (Contact Izzy Wilde, (608) 261-9671)

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(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. The Park Impact Fee ID# for this project is 25079.

17. Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued.

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

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

**Forestry Division** (Contact Bradley Hofmann, (608) 267-4908)

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

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

18. 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). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest 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.

19. 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).

20. 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.

21. For the Madison Common Council Certificate, the Madison City Clerk is Lydia A. McComas.



22. As of the date of this letter, real estate taxes are paid for the subject property. Per 236.21(3) Wis. Stats. and MGO Section 16.23(4)(f)(3), 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.
23. As of the date of this letter 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 MGO Section 16.23(4)(f)(3).
24. If Parcel A (251-0709-191-0101-7) is not located within the CSM boundary, it may be removed from the title update.
25. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger ([hradlinger@cityofmadison.com](mailto:hradlinger@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 submitted with the CSM application (June 23, 2025) 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. The 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.
26. The owner shall email the document number of the recorded CSM to ORES via email to Heidi Radlinger when the recording information is available.